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COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

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FOREWORD

In the past century-and-a-half the Committee on Environment and Public Works has evolved from a committee with a limited jurisdiction to one whose work touches the life of virtually every American citizen. Its responsibility ranges from water and highway transportation to natural resource conservation, from nuclear energy to Federal office buildings, from environmental protection to regional economic development.

Over the years, the committee's diverse and changing jurisdiction has attracted the interest and service of Senators with equally diverse talents. This breadth of background and abilities has made the achievements of the committee possible.

As the committee evolved, the emphasis of its work has reflected the changing needs of the country. In the 19th century America was growing. The predecessor committees were concerned with activities associated with providing government support for this expansion. After World War II, when the committee was reconstituted as the Committee on Public Works, the emphasis shifted to developing the national infrastructure. Since the 1960's, its work has been heavily influenced by the need to provide a clean and healthy environment.

The nature of the work and the dedication of its membership have enabled the Committee on Environment and Public Works to develop a strong and cherished tradition of bipartisanship. Through this approach we are able to address issues on their merits and resolve questions on the basis of what is best for the Nation.

This year marks the 150th anniversary of the establishment of the original committee. We concluded that this would be an appropriate time to compile the organizational and subject matter evolution of the Committee on Environment and Public Works as a historical record and a guide to future endeavors. This document reviews the development of the committee and its major legislative achievements. It is not intended to analyze in detail every aspect of our history and our work. Rather, we hope this record of our principal accomplishments will provide the reader with a flavor of the committee and its approach to its responsibilities.

ROBERT T. STAFFORD,
Ranking Minority Member

QUENTIN N. BURDICK,
Chairman.

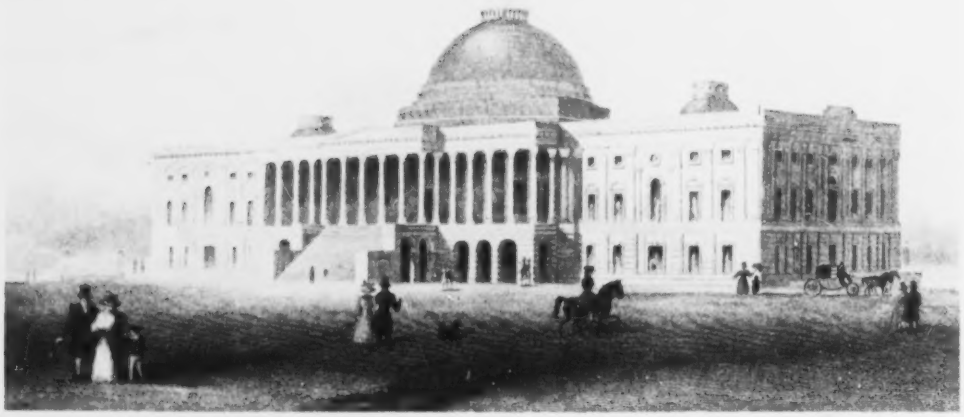
ACKNOWLEDGEMENTS

The committee is appreciative of the contributions of many individuals and organizations which made this history possible. Peter D. Prowitt, staff director, and Bailey Guard, minority staff director, were responsible for overall supervision of the research, writing, and production necessary to its publication. Other members of the committee staff were of invaluable assistance in compiling information on legislation and program activities.

John W. Yago, a former staff director of the committee, served as general editor and project manager. Initial design of the project and substantial early research were carried out by Laurie S. Fulton prior to her departure from the committee staff.

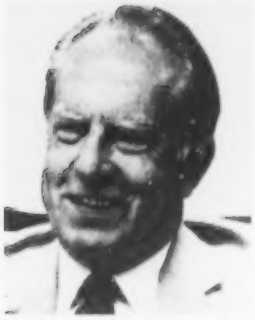
The background and experience of several former staff members contributed significantly to the completeness and understanding of past events. The committee appreciates the involvement of M. Barry Meyer, Ron M. Linton, Philip T. Cummings, Lee O. Fuller, Leon G. Billings, Harold H. Brayman, Thomas C. Jorling, Richard T. Greer, Clark F Norton, and the late Richard B. Royce.

Agencies whose programs are under the jurisdiction of the committee willingly supplied additional data and illustrative materials. Important assistance also was received from the Congressional Research Service of the Library of Congress, the Senate Historian, the Architect of the Capitol, the National Archives, and the Smithsonian Institution.



The Capitol Building in Washington as it appeared when the Committee on Buildings and Grounds functioned prior to 1857. (Architect of the Capitol)

Quentin N. Burdick
Chairman, 100th Congress



Robert T. Stafford
Chairman, January 1981-January 1987

Jennings Randolph
Chairman, May 1966-January 1981

Pat McNamara
Chairman, January 1963-April 1966

Dennis Chavez
Chairman, January 1949-January 1953
and January 1955-November 1962

Joseph Martin
Chairman, January 1953-January 1955

Chapman Revercomb
Chairman, January 1947-January 1949

[1]

ORIGIN OF THE COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

A century and a half ago the United States Senate created a three-member committee with responsibility to provide and manage office space for the new government, mainly in Washington. It was a time when the Nation was smaller, the world was simpler, and less was demanded of government.

In the ensuing 150 years, that small committee evolved into one of the most important components of the Senate. The modern Committee on Environment and Public Works is a far cry from its original predecessor. From a single mandate, its jurisdiction has expanded to encompass programs in six cabinet level departments and seven independent agencies. These programs spend more than $25 billion annually, expenditures that are authorized and monitored by the committee.

Today the duties of the committee involve the diverse fields of transportation, environmental protection, energy, economic development, conservation, water resources and—its original purpose—the housing of government. The committee system is now firmly established in the Congress which recognizes that it might well be impossible to function without committees. But it wasn't always so.

CREATION OF THE SENATE COMMITTEE SYSTEM

Centuries before the founding of the United States, committees played an important role in the legislative process in Great Britain. Records of joint committees of the House of Lords and the House of Commons of Britain's Parliament date as far back as 1340. American colonial legislatures used committees, as did the Continental Congress. It was, in fact, a select committee of Thomas Jefferson, John Adams and Benjamin Franklin that drafted the Declaration of Independence.

The House of Representatives appointed its first permanent standing committee (Committee on Elections) in 1789, and by 1810 had 10 standing committees. The Senate was slower to adopt a standing committee system. Until 1816 the Senate had only a few standing committees, which were more administrative than legislative. The limitations on the early national government and the Senate's

small size probably made standing committees unnecessary. As a result the Senate spent much of its time as a "Committee of the Whole", delegating legislative assignments to select committees with limited lifespans.

In the early years of the Senate, legislation commonly was developed by temporary committees, appointed to review and to report bills to achieve specific goals. Select committees also were designated in each session of Congress to deal with proposals in the President's annual State of the Union message. Over the years, hundreds of select committees were established to consider and report specific bills. Many of these select committees, however, remained in existence throughout a session and were referred many bills dealing with a single subject. These continuing select committees were the forerunners of the standing committee system.

Eventually the value of permanent committees which could deal with specific issues rather than specific bills was realized. Perhaps also contributing to the creation of permanent committees was a belief that they would help counter the influence of the Administration, particularly that of James Madison, whose relations with the Congress frequently were stormy.

In December, 1816, the Senate created 11 standing committees: Foreign Relations, Finance, Commerce and Manufactures, Military Affairs, the Militia, Naval Affairs, Public Lands, Claims, Judiciary, Post Office and Post Roads, and Pensions. By appointing standing committees, the Senate was able to assign long term studies and investigations to committees in addition to the reporting of bills.

The Role of Senate Committees Today

As the Nation's problems have become more complex, the committee system has been an effective and necessary tool for dealing with the intricacies of today's legislation. Senators rely on committees and committee staff to provide expertise on the technical matters on which they must legislate. Today Members of the Senate customarily spend their Senate careers as members of three committees, developing expertise and seniority on these committees, and concentrating their efforts and influence on specific legislative areas.

Committees are an integral part of the legislative process. A Senator might call upon a committee to comment on legislation she or he is considering proposing, and might ask for assistance in drafting legislation. Once a bill is introduced, it is assigned to the committee which has jurisdiction over the predominant subject matter of the bill. Often, the bill is referred by the parent committee to a subcommittee for initial scrutiny. If the subcommittee believes the bill deserves consideration, it generally holds hearings. Interested and affected witnesses, including other Members, private citizens, interest group representatives and executive officials, are invited to testify. Next, the subcommittee meets to "mark-up" the legislation, the process whereby the actual bill language is determined. Finally, the subcommittee returns the legislation to the full committee, usually through a written subcommittee report.

The full committee may hold further hearings on legislation which it has received back from the subcommittee. Thus, a proposed bill might receive days or weeks of hearings, resulting in hundreds of pages of transcripts before it is reported by the committee. At the close of hearings, the committee evaluates the testimony and other information presented to determine whether the bill should move forward. The bill can move forward as recommended by the subcommittee, or it may be amended by the full committee. A majority of the committee members present and voting will decide whether to report the bill for full Senate consideration. If not reported, the bill most likely will "die" in committee.

A written report customarily accompanies a bill reported from the committee, although it is not required. The written report generally contains a description of the bill, testimony from hearings, and statements by Senators. It is an important resource for Senators as they decide whether to support the bill when it comes before the Senate. Both the bill and its written report must be approved by the Senate if it is to continue through the legislative process.

For a bill to become law, it must be passed in identical form by both the Senate and the House of Representatives. In many cases, the bills that pass each body will not be identical. A conference committee may then be appointed to work out differences between the House and Senate versions. The conference committee usually consists of the senior members of the Senate and House committees which had jurisdiction over the original pieces of legislation. The committees' staff also serve as the staff to the conference committee. The version of the bill approved by this conference committee must pass both the Senate and the House of Representatives, and be signed by the President to become law.

Committees have several noteworthy functions in addition to lawmaking. First, they perform an important "oversight" responsibility, overseeing the implementation and administration of laws and programs by the Executive Branch. Because implementation and administration may be performed in a variety of ways, oversight enables the Senate to verify that the executive branch is carrying out the intent of Congress. Second, they are empowered to request audits. Third, they recommend funding levels for agencies and their programs to the Senate Budget Committee.

Fourth, they assist the Senate to perform its constitutionally mandated advice and consent function for Presidential nominations. Committees conduct hearings to review the qualifications of nominees, and recommend approval or disapproval of their appointment. The Senate as a whole then votes whether to confirm or not confirm the nominations.

Predecessor Committees to Environment and Public Works 1838-1947

Historical records indicate a Select Committee on Public Buildings was created during the 16th Congress, on December 16, 1819. This fledgling body was authorized to consider "subjects as may be referred to them (sic) relating to the public buildings." Its first task was to determine the availability of office space in the Capitol for committees and the Secretary of the Senate.

This temporary committee apparently did not continue since there are subsequent references to a select committee being appointed a year later to address similar subjects. The Committee on Public Buildings was not established as a permanent standing committee until the third session of the 25th Congress, December, 1838. Senator William S. Fulton of Arkansas was named chairman, and Senators William C. Rives of Virginia and Richard H. Bayard of Delaware were appointed as members of the committee. The committee had jurisdiction over new public buildings being constructed in the Nation's capital, such as the Treasury and Patent buildings, the Capitol building, stables and grounds, including the wages of the watchmen at the gates of the Capitol grounds, and the White House and its grounds. A Senate standing committee with jurisdiction over public buildings has been in continuous existence ever since. Most of that jurisdiction is now incorporated within the expanded framework of the Environment and Public Works Committee.

In the 35th Congress (1857–1859), the committee was renamed the Committee on Public Buildings and Grounds, and retained that designation for 90 years, through the 79th Congress (1945–1946).

The Senate undertook a major reorganization of its committee system in 1946, effective in 1947 at the outset of the 80th Congress. In that reorganization the Committee on Public Works was established, retaining the jurisdiction of the former Committee on Public Buildings and Grounds and acquiring jurisdiction over roads, rivers and harbors which had previously been the responsibility of the Senate Commerce Committee. During the 1960's, the committee expanded its jurisdiction over water and air pollution.

In 1977 following another major reorganization of Senate committee structure, the committee become the Environment and Public Works Committee as it exists today.

Notable Committee Members

Numerous members of the committee and its predecessors have occupied other positions of high government responsibility. Two, Andrew Johnson and Harry S. Truman became presidents of the United States following service in the Senate. Jefferson Davis, who served as president of the Confederate States of America, also held membership on the committee before secession and the Civil War.

Others have served as vice president, members of the cabinet and Supreme Court and as ambassadors. One member of a predecessor committee was Speaker of the House of Representatives before election to the Senate. Others of both parties, including the present minority leader, have been elected to the Senate leadership.

Committee members who have held other high Federal Government positions include the following:

President:
Andrew Johnson (April 15, 1865–1869) 36, 2nd*
Harry S. Truman (April 12, 1945–1953) 74, 75, 76, 77, 78

Vice President:
Andrew Johnson (March 4–April 15, 1865) 36, 2nd
Thomas A. Hendricks (March 4–Nov. 25, 1885) 38, 39
Charles W. Fairbanks (1905–1909) 55, 56, 57, 58
Charles Curtis (1929–1933) 65, 66
Harry S. Truman (Jan. 20–April 12, 1945) 74, 75, 76, 77, 78

Secretary of State:
Edmund S. Muskie (May 8, 1980–1981) 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96

Secretary of War:
Simon Cameron (1861–1862) 29, 1st
Jefferson Davis (1853–1857) 31, 35, 36
J.D. Cameron (1876–1877) 45

Secretary of the Treasury:
William Pitt Fessenden (1864–1865) 40
William Gibbs McAdoo (1913–1918) 73

Secretary of the Interior:
Zachariah Chandler (1875–1877) 37
Albert B. Fall (1921–1923) 64

Secretary of Commerce:
Sinclair Weeks (1953–1958) 78

Attorney General:
Reverdy Johnson (1849–1850) 40, 1st

Secretary of the Navy:
George M. Badger (March 5–Sept. 1841) 33
Claude A. Swanson (1933–1939) 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72
John H. Chafee (1969–May 1972) 95, 96, 97, 98, 99, 100—
John W. Warner (May 1972–1974) 100—

Associate Justice of the Supreme Court:
George Sutherland (1922–1938) 62, 63, 64

Speaker of the House (prior to election to the Senate):
R.M.T. Hunter (1839–1841) 30, 31, 32, 33, 34

Ambassador:
John Sherman Cooper (1955–56 Ambassador to India and Nepal; 1974–76 Ambassador to the German Democratic Republic) 80, 86, 87, 88, 89, 90, 91, 92
Daniel Patrick Moynihan (1973–75 Ambassador to India; 1975—1976 U.S. Permanent Representative to the United Nations) 95, 96, 97, 98, 99, 100—

*Numbers indicate the Congresses (and session if less than a full Congress) during which the Senators served on the Committee.

[2]

SENATE REORGANIZATION OF 1947 AND CREATION OF THE COMMITTEE ON PUBLIC WORKS

As the Second World War drew to a close, the Congress faced the advent of the modern era with antiquated institutional systems that were incapable of responding to the challenges faced by an increasingly mobile, technological society. Congress was underfunded, understaffed and inefficiently organized. In 1946 there were 33 standing committees of the Senate and 48 standing committees of the House. Members complained about scheduling conflicts due to their memberships on several committees. Yet often when an investigation was required, a select committee was formed for that purpose even if a standing committee had jurisdiction over the subject matter.

In fact, the need for reform was appreciated even before the United States became involved in the war. From January, 1941, to March, 1945, some 102 reorganization plans were submitted to the Congress. Much was written in the press during this period regarding desirable reforms.

Commentators frequently deplored the fact that there were too many committees, and especially too many with little to do. These inactive committees were described by one political analyst as "ornamental barnacles on the ship of state". Several suggestions were made regarding reducing the number of committees. Some advocates of reform proposed the creation of joint committees of House-Senate members to handle issues of mutual concern. Under this proposal, only a single hearing or series of hearings on each issue would be required. Then, if they so desired, the members from the two houses could issue separate reports. Advocates of this proposal stressed that its adoption would reduce the burden on congressional witnesses, who would often travel to Washington twice, within relatively short periods of time and at their own expense, in order to testify before both House and Senate committees. Another suggestion was to organize the committees so as to conform with the executive departments. Other critics advocated grouping similar issues under the jurisdiction of each committee to reduce the number of panels.

The seniority system also came under attack. Several writers urged that the Congress do away with its tradition of awarding the chairmanship to the member

who had served for the longest continuous period on the committee. It was acknowledged that the seniority system itself was one of the major obstacles to congressional reform. Committee chairmen, even those of inactive committees, were unlikely to welcome reform efforts that would eliminate their privileged positions. One observer went so far as to recommend that Members be allowed to serve only six years on one committee and then be required to shift to another.

Members of the Congress were especially displeased with reliance on the executive due to the lack of their own staffing. Often the agencies would "lend" staff members to the committees for certain periods of time. It was felt that this was not the most desirable method of performing oversight of the agencies.

Many commentators recommended that each member be provided an administrative assistant to help with constituent matters. In general, the Congress was aware of the need for additional staff on both the clerical and professional levels, and of the need to compensate staff adequately. Indeed, many congressional committees existed solely to provide their chairmen additional staff and office space.

Members of Congress repeatedly praised both the Legislative Reference Service (now the Congressional Research Service) and the Legislative Counsel as indispensable, unbiased sources of expertise, and it was recommended that these offices be expanded and provided more substantial funding.

Early in 1945, both houses approved legislation (H. Con. Res. 18) to set up a joint committee to study the reorganization of Congress. Senator Robert M. LaFollette, Jr., (Prog.-WI) was selected to chair the committee; Rep. A.S. Mike Monroney (D–OK) who had introduced the legislation, was chosen to serve as vice-chairman.

The joint committee held extensive hearings from March through June, 1945, and in March, 1946, submitted a report recommending major changes in the rules, organization, and procedures of both houses.

The joint committee also recommended that every committee be provided a staff of four experts who would each receive an annual salary of $8,000. Also, the committee proposed that the rules of the House and Senate be revised to define more clearly the various committees' jurisdiction. Included in the committee's report was a proposal to prohibit the creation of special committees and a recommendation that policy committees be formed for the majority and minority parties in both houses. The committee urged that House and Senate committees be permitted to hold joint hearings when convenient, and that the practice of forming special investigating committees be prohibited.

Self-rule for the District of Columbia and the elimination of private claims bills were proposed as measures to save the Congress's time. The committee's report also recommended that each Member be provided an administrative assistant. Also, it was proposed that lobbyists be required to register and disclose their sources of funds and the membership of the organizations they represent.

The joint committee proposed that the Committee on Public Buildings and Grounds be eliminated and matters within its purview come under the jurisdiction of a new committee—the Senate Committee on Interior, Natural Resources and Public Works. This committee would have jurisdiction over commerce, Indian affairs, interoceanic canals, irrigation and reclamation, mines and mining, public buildings and grounds, public lands and surveys, and territories and insular affairs.

Senate members of the Joint Committee were designated a Special Senate Committee on the Organization of Congress, and on May 31, 1946, they reported S. 2177, embodying with a few amendments the recommendations of the Joint Committee. One major change from the original proposal was the omission of language providing for self-government for the District of Columbia. A separate bill had already been introduced for that purpose.

The bill reported by the special committee differed from the joint committee's recommendation in one important respect in regard to the Committee on Public Buildings and Grounds. Rather than incorporating public works, public lands, and commerce oversight into one comprehensive committee, the special committee recommended that separate committees be assigned to each of these areas. According to the report on S. 2177, a committee with jurisdiction so extensive as that originally proposed would be heavily overburdened. Thus, the Committee on Public Buildings and Grounds, rather than becoming a part of the Committee on Interior, Natural Resources and Public Works, would instead be given some additional jurisdictions and would become the Committee on Public Works. Several areas which were at that time within the purview of the Committee on Commerce were recommended for inclusion in the jurisdiction of the Committee on Public Works:

1. Flood control and improvement of rivers and harbors;
2. Public works for the benefit of navigation, and bridges and dams (other than international bridges and dams);
3. Water power; and
4. Oil and other pollution of navigable waters.

It was proposed that the Committee on Public Works also be given jurisdiction over post offices and post roads, which were then under the Committee on Post Offices and Post Roads.

The Committee on Public Works would, of course, retain the areas of jurisdiction which had been enjoyed by its predecessor:

1. Public buildings and occupied or improved grounds of the United States generally;
2. Measures relating to the purchase of sites and construction of post offices, customs houses, Federal courthouses, and Government buildings within the District of Columbia;
3. Measures relating to the Capitol Building and the Senate and House Office Buildings;
4. Measures relating to the construction or reconstruction, maintenance, and care of the buildings and grounds of the Botanic Gardens, the Library of Congress, and the Smithsonian Institution; and

5. Public reservations and parks within the District of Columbia, including Rock Creek Park and the Zoological Park.

The bill contained a number of reforms with regard to internal committee procedures. Committees would be required to have regularly scheduled meetings days, and hearings would be open to the public when possible. Witnesses were to provide testimony in advance of hearings to allow members a chance to review their statements and prepare questions. Transcripts would be kept of hearings, and dated committee records would be sent to the National Archives.

Other recommendations included expansion of the Office of Legislative Counsel and the Legislative Reference Service; a salary increase and retirement program for Members of Congress; remodeling of House and Senate chambers, caucus rooms, and restaurant facilities; and improvement of the *Congressional Record*.

The bill received strong bipartisan support on the Senate floor. A provision to create a separate Committee on Veterans' Affairs was eliminated, as was a proposal to create the office of the Director of Congressional Personnel. The bill passed the Senate on June 10, 1946.

In the House of Representatives, a number of changes were made to the bill due to the objections of Speaker Sam Rayburn. Language providing for the establishment of Majority and Minority Policy Committees in each House was stricken. The section providing for executive assistants for House and Senate members was eliminated, and the prohibition against special investigating committees was removed.

The bill passed the House on July 25; the Senate agreed to the House amendments the following day. The Legislative Reorganization Act (P.L. 79–601) was signed by President Truman on August 2. Under this new organization, the Committee on Public Works would have 13 members, as would all Senate committees with the exception of the Appropriations Committee, which would have 21. Although law, the reorganization was not binding on the 80th Congress, because each Congress adopts its own rules at the beginning of its first session. However, the law's provisions were adopted by the 80th Congress (1947–48). The Committee on Expenditures in the Executive Departments reported in April, 1948, that the measure had operated effectively and that committee procedures were much improved.

Emergence of the Environmental Jurisdiction

The transition from the 87th to the 88th Congress (1963–1964) saw a series of events that began the expansion of the Public Works Committee's limited anti-pollution jurisdiction into one with broad responsibility for national environmental protection programs. That process was completed 14 years later with the addition of "Environment" to the committee's name and the formal consolidation of virtually all environmental jurisdiction within the new Committee on Environment and Public Works.

The changes began with the death on November 18, 1962, of Senator Dennis Chavez (D–NM), the committee's chairman since 1955. Next in line of seniority to become chairman was Senator Robert S. Kerr (D–OK), long an influential member of the Senate and the committee. Senator Kerr, however, died less than two months later, on January 1, 1963. The order of succession was altered. The result was that Senator Pat McNamara of Michigan, the third ranking Democrat on the committee in the previous Congress, became chairman at the opening of the 88th Congress in January, 1963.

In the years immediately preceding the 88th Congress, the Subcommittee on Flood Control-Rivers and Harbors had been the largest and most active of the committee's three subcommittees. Under the chairmanship of Senator Kerr, it provided opportunities for its chairman to exercise considerable legislative and political influence. When the committee was reorganized under a new chairman, Senator Jennings Randolph (D–WV), now the second ranking Democrat, requested and was assigned the chairmanship of the Subcommittee on public Roads.

Senator Edmund Muskie (D–ME), the next senior majority party member, sought the chairmanship of the Subcommittee on Flood Control-Rivers and Harbors which had been the seat of Senator Kerr's authority. Chairman McNamara, however, decided to take that important subcommittee for himself. He resolved the question of the full committee chairman heading a subcommittee by appointing all members of the committee to the subcommittee. It was logical, therefore, that Senator McNamara also chair the subcommittee.

Operationally, the chairman then divided the Subcommittee on Flood Control-Rivers and Harbors into geographical task forces. Senator Muskie headed the New England group and thus was able to handle water resources legislation in which he was interested. This included his concern with pollution which stemmed from his experience as Governor of Maine, where he realized the importance of clean water to industrial development and Maine's coastal economy, as well as to domestic water consumption and natural resource replenishment.

Senator Muskie received a subcommittee chairmanship when Senator McNamara created the Special Subcommittee on Air and Water Pollution. This was a natural action since Senator Muskie already had been active in developing water pollution legislation, and proposals for action on air pollution had been referred to the committee.

These two assignments in early 1963 established patterns that would influence the committee's work in both the public works and environmental fields for nearly 20 years. Three years later, Senator Randolph became chairman of the full committee. Senator Muskie continued as the committee's principal environmental spokesman and chairman of its environmental subcommittee throughout the remainder of his Senate career.

While the committee on Pubic Works had jurisdiction over "oil and other pollution of navigable waters" since the Senate committee reorganization of 1946, 1963 was the first time Public Works had designated a subcommittee to be concerned exclusively with pollution issues. Earlier, the Senate Committee on Labor and

Public Welfare had used its health-related jurisdiction to address the health problems of air pollution.

Relying heavily on the Public Works Committee's jurisdiction over "oil and other pollution," air pollution was included in the workings of the new special subcommittee. Recognizing "population" as a key word, the committee retained it in the title of the subcommittee for two decades. In 1974, the subcommittee was renamed the Subcommittee on Environmental Pollution. In the 100th Congress (1987–88), "pollution" was dropped and the title became the Subcommittee on Environmental Protection.

The Special Subcommittee on Air and Water Pollution predated the national environmental movement as we know it today. The word "environment," in fact, was not in common use in 1963; "pollution" and "ecology" were more frequently heard. During the 1950s and 1960s there were local concerns over pollution, for example, when the Cuyahoga River in Ohio caught fire because of the heavy concentrations of pollutants in its water. Some cities, notably Pittsburgh, had passed some air pollution ordinances to control "smoke" and smog.

Major enviromental issues were addressed immediately by the new subcommittee under the direction of Chairman Muskie and Senator J. Caleb Boggs (R–DE), the ranking minority member. During the first two years of its existence, the Special Subcommittee on Air and Water Pollution unanimously reported both a clean air bill (S. 43), which eventually was enacted (P.L. 88–206), and a clean water proposal (S. 649). It held hearings on these bills as well as on air pollution and technological developments. The subcommittee produced legislative reports on the bills and a report on future legislation for air pollution control. A 30-minute documentary film entitled, "Troubled Waters", narrated by actor Henry Fonda, was produced by the committee to convey the problems of water pollution. This film and one concerned with air pollution, "Ill Winds on a Sunny Day," were distributed for several years free of charge for viewing by schools, community groups, and other organizations throughout the country.

The subcommittee conducted extensive hearings outside Washington to learn about the nature and extent of air pollution problems of the Nation's cities, focusing particular attention on vehicle emissions and pollution problems that had become regional in impact. During January and February, 1964, the subcommittee conducted air pollution hearings in Los Angeles, Denver, Chicago, Boston, New York, and Tampa.

The clean air and clean water bills of the 1960s and early 1970s passed the Senate with strong support. The environmental movement, although active, was still developing the broad national constituency and lobbying capability which characterized it in later years. Industrial groups—oil, steel, automobiles, chemicals and coal among them—resisted early environmental laws, but they also became more highly organized in their efforts to influence legislation.

During this period, the Public Works Committee developed a successful consensus-building process. Disagreements over pollution control strategies were rarely, if every, along partisan lines and they were resolved with the committee. The committee leadership was willing to take the time to hear and attempt to

address the concerns of every member. By the time a bill left the committee, it was fully supported by the entire membership. This position of unified supported by the committee greatly reduced the likelihood of opposition and gained the backing of other Senators during debate by the full Senate.

In the late 1960s there were challenges to the Public Works Committee's jurisdiction over environmental legislation. Air pollution had been seen as a health-related issue during the 1950s. In 1955 the Health Services Act was amended to provide for Federal studies of the effects of air pollution on human health. As national interest in ecology increased and Earth Day was being organized in 1969 to call attention to environmental issues, the Senate Committee on Labor and Public Welfare again expressed its concern over air pollution and its effect on human health. With automobiles and other vehicles being seen as sources of the air pollution problems, the Commerce Committee became concerned with pollution through its jurisdiction over transportation-related matters. Chairman Randolph and Senator Muskie aggressively and successfully maintained the jurisdiction of the Public Works Committee.

The debate over pollution jurisdiction came to a head during development of the National Environmental Policy Act of 1969. Because of Interior Secretary Stewart Udall's interest in water, President Lyndon B. Johnson in the mid-1960s had transferred executive administration of the water pollution program from the Department of Health, Education and Welfare to the Department of the Interior. The Senate Interior Committee (predecessor to the Committee on Energy and Natural Resources), chaired by Senator Henry M. Jackson (D-WA), asserted jurisdiction over pollution issues through its tie to the Interior Department and its authority over natural resources as well as western construction projects, public lands and national parks.

On February 18, 1969 Senator Jackson introduced a bill to establish a national policy on environmental quality and to establish in the Office of the President a three-member Council on Environmental Quality. Hearings were held on the bill in April.

On May 29, President Nixon created by executive order a cabinet-level interagency Environmental Quality Council and a Citizen's Advisory Committee on Environmental Quality. Congress was not satisfied that the President's approach would be effective. Rep. John Dingell (D-MI), a member of the House Merchant Marine and Fisheries Committee, also held hearings on proposals to establish a Council on Environmental Quality. At the same time, the Subcommittee on Air and Water Pollution was considering a new water pollution control bill, S. 7. Title II of that proposal would create an Office of Environmental Quality in the Executive Office of the President.

On July 9, 1969 the Senate Interior Committee met to act on the Jackson bill to establish a Board of Environmental Quality Advisors. New text was substituted for the old bill, and the Committee reported the National Environmental Policy Act of 1969.

Despite Senator Muskie's opposition, the Jackson bill was brought before the Senate early on the morning of July 10, and passed by voice vote. Although he

had been unable to prevent its passing the Senate, Muskie placed a "hold" on the measure which lasted three months and effectively kept it from going to conference with the House. However, the jurisdictional dispute between Muskie and Jackson also prevented S. 7, the Water Quality Improvement Act, from being considered in the Senate. For three months the Senate witnessed a stalemate.

The impasse was broken when Senate Majority Leader Mike Mansfield (D–MT) forced a compromise between the two committees. The agreement provided that: Muskie's Office on Environmental Quality would serve as staff to Jackson's Board of Environmental Advisors, and the annual report by the Board would be sent to all appropriate Senate committees, not just to the Senate Interior Committee. Jackson was to instruct the conferees to accept the agreed changes. A conference with the House was granted. The Muskie changes remained intact. In December the conference report on the bill passed and was signed into law as the National Environmental Policy Act of 1969 (P.L. 91–190). The Muskie water pollution bill passed the Senate in October, but the Senate-House on this measure extended into the following year. The Water Quality Improvement Act of 1970 became law (P.L. 91–225) when signed by the President in April, 1970. This statute was primarily concerned with establishing liability for the cleanup of oil pollution. It thus became the direct predecessor of the Superfund program which was enacted more than a decade later.

The Committee on Environment and Public Works has oversight responsibility for the Council on Environmental Quality (CEQ) and regularly develops legislation providing monetary authorizations for its operations. It also considers presidential nominations for membership on the Council.

Environmental legislation has been produced by the Public Works Committee since the late 1940s. In its general reorganization of committees in 1977, the Senate expanded and codified in its rules the areas of jurisdiction in which the committee had functioned for 30 years. It acknowledged that the committee had become the principal repository of environmental jurisdiction by changing its name and assigning to it additional areas of environmental interest that had been elsewhere. The committee thus assumed responsibility for the nation's civilian nuclear energy programs as well as activities of the U.S. Fish and Wildlife Service.

Maintaining jurisdiction over both public works and pollution control, given the inherent tensions in the relationship of the two issues, has been a hallmark of the committee. During the Senate committee reorganization of 1977, the committee successfully resisted an attempt to split its jurisdiction by placing environment and pollution control in one committee, and development programs in another. The likely result of such a split would have been to pit two committees against each other in the full Senate. By retaining jurisdiction over both environment and development, conflicts in the objectives of the two could be resolved within a single committee.

Those actions assured that the committee would continue to be the arbiter of the seemingly insoluble conflicts that regularly arise between the developmental and protective needs of the United States.

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THE COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS TODAY

The Committee on Environment and Public Works in the 100th Congress: (seated, from left) Senators John Chafee, Barbara Mikulski, Robert T. Stafford, Quentin N. Burdick (chairman), Frank Lautenberg, (standing) Steve Symms, John Warner, John Breaux, Bob Graham, Larry Pressler, Alan Simpson, Dave Durenberger, George Mitchell, Harry Reid, Daniel Patrick Moynihan, Max Baucus.

SENATE REORGANIZATION OF 1977

A review of Senate structure and operating procedures in 1976 concluded that the time was ripe to make extensive changes in the way the body conducted its business. Although the Senate had adopted some revisions to its operations since the Legislative Reorganization Act of 1946, there had been no comprehensive adjustment of rules and duties for three decades. During that period the Senate had witnessed a proliferation of subcommittees and other evolutionary changes. By 1976 there was a widespread feeling that it was becoming increasingly difficult for Senators to carry out their work as efficiently as possible.

The Temporary Select Committee to Study the Senate Committee System was created in March, 1976, and proposed a set of sweeping changes late that year. The Committee on Public Works was deeply involved in the debates that followed because many of the recommendations directly related to its existing and proposed jurisdictions.

The recommendations were translated into legislative form and introduced as S. Res. 4 early in January, 1977. The Senate Rules Committee scheduled hearings with a view to completing reorganization early in the new session. New members were not to be assigned to committees initially and most substantive work was postponed unil reorganization was concluded.

A major objective of S. Res. 4 was to reduce the number of standing committees. This obviously required the abolition of some committees and shifting their jurisdictions to others. It was necessary also to rationalize the jurisdictional subjects that had developed since 1946 and were not formally or precisely assigned in the Senate rules.

The Special Temporary Committee proposed a major realignment of energy, transportation and environment programs intended to consolidate each in a single committee. This proposal alone dealt with areas in which the Committee on Public Works had legislated for years.

The initial plan of S. Res. 4 represented at least one victory for the committee by including the word "environment" in its name and transferring to it virtually all Federal environmental programs. This was not to be the final result, however, since committees have been historically reluctant to surrender subject matter in which they have invested much time and effort.

This problem confronted the Public Works Committee in the form of the recommendation that all transportation programs be consolidated under the umbrella of the Commerce Committee. The Federal-aid Highway Program had long been one of the foundations of the committee's public works activities. The committee had made substantial strides in adapting Federal construction and developmental programs under its jurisdiction to the recently-emerged environmental consciousness of the nation. The committee's work, for instance, had assured that such considerations as the protection of parklands, and the pollution implications of roadbuilding were included in the highway program.

This program also was a matter of great personal interest to committee Chairman Jennings Randolph who earlier had chaired the Roads Subcommittee and during prior service in the House of Representatives had served as chairman of its Roads Committee. He and other committee members felt they had invested too much in this activity to relinquish it to another committee.

In the Commerce Committee much the same feelings were held by Chairman Warren Magnuson (D–WA) and Sen. Ernest Hollings (D–SC), among others, concerning programs relating to the oceans which were proposed for transfer to the new Environment and Public Works Committee. The situation was similar in the Agriculture Committee, which argued to retain jurisdiction over pesticides.

The other major jurisdictional impact on the Public Works Committee was the proposed dismantling of the Joint Committee on Atomic Energy and spreading its functions among three committees. The rationale for placing nuclear energy under multiple committees was based on the belief that the developmental and promotional aspects, mainly those of the Department of Energy, should not be in the same committee as the regulatory functions as carried out by the Nuclear Regulatory Commission. It also was reasoned that the military uses of the atom were within the province of the Armed Services Committee. The Committee on Environment and Public Works, therefore, was assigned civilian regulation of nuclear energy as part of its general mandate over environmental protection.

The transportation and environmental conflicts were more difficult to resolve. The Rules Committee was under a deadline of January 19 to report its recommendations on committee reorganization to the full Senate. The differences among the committees concerning jurisdictional assignments threatened to make that goal unattainable. The newly-chosen majority leader, Senator Robert C. Byrd (D–WV), moved to head off a situation that could prevent reorganization by calling committee chairmen together to resolve their differences.

After a series of compromises, the Rules Committee reported S. Res. 4 on January 25, only a few days beyond its original target. The final version of the reorganization measure left transportation jurisdictions virtually unchanged, and highways continued within the purview of the new Committee on Environment and Public Works.

The Commerce Committee retained some ocean activities and assumed non-construction highway safety activities from Public Works. Otherwise, most environmental protection programs of the Federal Government, including some relating to oceans, were made the responsibility of Environment and Public Works. The additional assignment of overall national environmental policy firmly established the committee as pre-eminent in this area within the Senate.

Prior to the reorganization, senior members of Senate authorizing committees—including Public Works—served as ex-officio members of the Committee on Appropriations to advise on funding for programs within their jurisdictions. That practice ended in 1977.

Once reform was ratified by the full Senate, committees began the task of adjusting to their new responsibilities and operating procedures. The most immediate need in the Committee on Environment and Public Works was to create subcommittees and assign members to them.

This task was complicated by new limitations imposed on subcommittee membership of individual Senators. Despite the increased number of subjects requiring its attention, the committee was prohibited by these limitations from creating additional subcommittees. The answer was found in retaining six subcommittees, reducing the membership of some and drastically altering their responsibilities. The committee began its substantive work for the year with three generally environmental and three generally public works subcommittees, each with seven members. The public works-related subcommittees were Transportation, Regional and Community Development, and Water Resources. Those concerned with environmental matters were Environmental Pollution, Nuclear Regulation, and Resource Protection.

The scope of the newly-reorganized committee was reflected in the fact that there was no longer room for a separate Subcommittee on Public Buildings and Grounds, the original jurisdiction of the predecessor committees and its direct link with the early 19th Century. Buildings and grounds matters were assigned to the Subcommittee on Regional and Community Development. For a while, they were considered at the full committee level. Buildings and grounds today are among the duties of a more comprehensive subcommittee, currently the Subcommittee on Water Resources, Transportation, and Infrastructure.

The subcommittee structure devised in 1977 remained in place for four years until the Environment and Public Works Committee came under Republican leadership. At that time the responsibilities and names of the six subcommittees were revised. In 1987 the Democratic party again assumed majority status. The committee then reduced the number of subcommittees to five, concentrating virtually all public works activities in a single subcommittee and dividing environmental duties among the other four.

The committee now consists of the subcommittees on Environmental Protection, Hazardous Wastes and Toxic Substances, Nuclear Regulation, Superfund and Environmental Oversight, and Water Resources, Transportation and Infrastructure.

Jurisdiction of the Environment and Public Works Committee

Jurisdictions of committees are established by the full Senate as part of the rules for the operation of the body. Since 1977, the areas of jurisdiction of the Committee have not changed.

Rule XXV, section 1. (h) of the standing rules of the Senate reads as follows:

"(h)(1) Committee on Environment and Public Works, to which Committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Air pollution.
2. Construction and maintenance of highways.

3. Environmental aspects of Outer Continental Shelf lands.
4. Environmental effects of toxic substances, other than pesticides.
5. Environmental policy.
6. Environmental research and development.
7. Fisheries and wildlife.
8. Flood control and improvements of rivers and harbors, including environmental aspects of deepwater ports.
9. Noise pollution.
10. Nonmilitary environmental regulation and control of nuclear energy.
11. Ocean dumping.
12. Public buildings and improved grounds of the United States generally, including Federal buildings in the District of Columbia.
13. Public works, bridges, and dams.
14. Regional economic development.
15. Solid waste disposal and recycling.
16. Water pollution.
17. Water resources.

"(2) Such committee shall also study and review, on a comprehensive basis, matters relating to environmental protection and resource utilization and conservation, and report thereon from time to time."

Development of Committee Staff

The growth and composition of the staff of the Committee on Environment and Public Works has generally paralleled that of other Senate Committees.

The appointment of committee clerks had been authorized since the 1850s, but until the post-World War II period Senate committees functioned with very little staff. The executive branch provided much of the support that is now available internally. Such Senate staff as there was devoted itself largely to correspondence and record-keeping.

The shift in staffing patterns began shortly after World War II, when the Nation, and consequently the Congress, was faced with an ever-increasing number of issues that reflected a changing society and the emergence of the United States as a world power. The Legislative Reorganization Act of 1946, as part of its restructuring of the committee system, authorized each committee to hire a maximum of four professional staff and six clerical staff.

In the 80th Congress (1947–48), the Committee on Public Works, newly-named and with an expanded jurisdiction, operated with a staff of 10—six clerks and four professionals. The staff declined to four in the next couple of years. It fluctuated between four and 10 until the mid-1960's when a period of steady increase began.

This period coincided with the evolution of new subject matter for committee consideration—air and water pollution, economic development, and disaster relief among them. In the Senate at large, staff expansion also was under way, at least partially in reaction to the hostility that existed between the Congress and the Administration in the late 1960's and early 1970's and the desire of the Congress to reduce its dependence on the executive branch.

The committee's staff grew steadily from 14 during the 89th Congress (1965–66) to 44 in the 94th Congress (1974–75). The comprehensive reorganization of the Senate committee system in 1977 again changed the name of the committee and gave it further jurisdictional responsibilities. This resulted in a staff increase to 58 in the 95th Congress (1977–78).

The growth in the volume and complexity of committee work required the employment of individuals with diverse backgrounds and training. As a result, the committee has sought the services of engineers, political scientists, journalists, lawyers, historians, economists, artists, and technicians of various sorts.

The committee reached its highest staffing level in the 96th Congress (1979–80) when 60 persons were counted as permanent employees. This number was augmented by an additional 15 staff when the Senate provided additional funds for the committee to conduct an extensive investigation of the Three-Mile Island nuclear powerplant accident. With completion of the study a year later, the committee staff reverted to its previous size.

A period of staff reductions began in 1981 following the change of leadership in the Senate from the democratic to the Republican party. As a matter of policy, the Republicans agreed to a 10 percent reduction in all Senate staffs. Consequently, the Committee on Environment and Public Works Committee functioned with a staff of 53 during the 97th Congress (1981–82). Modest additional reductions since that time brought the staff to its present total of 50.

For at least two decades the committee has followed a policy of equity in the distribution of staff resources between the majority and minority parties. The 1977 reorganization of the committee system required that, upon request, committee minorities be assigned at least one-third of the staff. This action implemented for the entire Senate a traditional practice of the Committee on Environment and Public Works and has lessened the strains of two changes of party control in recent years.

Presidential Nominations Considered by the Committee

Administrator, Environmental Protection Agency
Deputy Administrator, Environmental Protection Agency
Inspector General, Environmental Protection Agency
Assistant Administrators, Environmental Protection Agency
Commissioners, Nuclear Regulatory Committee
Assistant Secretary of the Interior for Fish and Wildlife and Parks
Director, Fish and Wildlife Service
Administrator, Federal Highway Administration
Assistant Secretary of Commerce for Economic Development
Federal Cochairman and Alternate Federal Cochairman, Appalachian Regional Commission
Directors, Tennessee Valley Authority
Associate Director, Federal Emergency Management Agency
Members, Council on Environmental Quality
Members, Mississippi River Commission

The nomination for Assistant Secretary of the Interior for Fish and Wildlife and Parks is jointly referred to the committee and the Committee on Energy and Natural resources. The committee also regularly conducts advisory hearings on nominations for Assistant Secretary of the Army for Civil Works although the nomination is formally referred to the Committee on Armed Services. Prior to the abolition of the California Debris Commission in 1987, the committee considered nominations to its membership.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Subcommittees, 100th Congress

Environmental Protection

George J. Mitchell, Maine, Chairman

Daniel Patrick Moynihan, New York
Max Baucus, Montana
Frank Lautenberg, New Jersey
John B. Breaux, Louisiana
Bob Graham, Florida
John H. Chafee, Rhode Island
Robert T. Stafford, Vermont
Alan K. Simpson, Wyoming
Dave Durenberger, Minnesota
Larry Pressler, South Dakota

Hazardous Wastes and Toxic Substances

Max Baucus, Montana, Chairman

Frank R. Lautenberg, New Jersey
Barbara A. Mikulski, Maryland
Harry Reid, Nevada
Bob Graham, Florida
Dave Durenberger, Minnesota
John H. Chafee, Rhode Island
Alan K. Simpson, Wyoming
Steve Symms, Idaho

Nuclear Regulation

John B. Breaux, Louisiana, Chairman

Daniel Patrick Moynihan, New York
George J. Mitchell, Maine
Harry Reid, Nevada
Alan K. Simpson, Wyoming
Steve Symms, Idaho
John W. Warner, Virginia

Superfund and Environmental Oversight

Frank R. Lautenberg, New Jersey, Chairman

Max Baucus, Montana
Barbara A. Mikulski, Maryland
John W. Warner, Virginia
Larry Pressler, South Dakota

Water Resources, Transportation, and Infrastructure

Daniel Patrick Moynihan, New York, Chairman

Quentin N. Burdick, North Dakota
George J. Mitchell, Maine
John B. Breaux, Louisiana
Barbara A. Mikulski, Maryland
Harry Reid, Nevada
Bob Graham, Florida
Steve Symms, Idaho
Robert T. Stafford, Vermont
John H. Chafee, Rhode Island
Dave Durenberger, Minnesota
John W. Warner, Virginia
Larry Pressler, South Dakota

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MAJOR LEGISLATIVE ACCOMPLISHMENTS

PUBLIC WORKS

PUBLIC BUILDINGS AND GROUNDS

A single jurisdiction exercised for the past 150 years by the Committee on Environment and Public Works and its predecessors has greatly influenced the public face of American government and the way that government carries out its business.

The committee began life in 1838 as the Committee on Public Buildings and in the 35th Congress (1857–59) was renamed the Committee on Public Buildings and Grounds. For 109 years after its creation as a standing committee, its sole responsibility was the facilities of government, not only in Washington but throughout the nation.

Buildings and grounds is but one component of the committee's jurisdictional menu in 1988, but it continues to have substantial impact on the conduct of government. The contemporary public buildings program of the General Services Administration (GSA) involves expenditures of more than $3 billion annually. When the committee was established in 1838, the entire Federal Government was operated for slightly less than $34 million.

During the early years of its existence, the committee was deeply involved in the development of government installations in Washington to accommodate the operations of the new nation. In the post-Civil War period, America's territory and population were expanding. With this growth came a demand for Federal office buildings, courthouses, post offices and other facilities that gave national scope to the committee's work and helped to tie the country together.

Buildings issues demanding the committee's attention have changed frequently over the years. During the decade of the 1980s, the development of a rational, coordinated public buildings program continues to be a major focus of the committee's efforts. Closely related to this attempt is the ongoing attempt to preserve

The Old Post Office Building in St. Louis, MO, is typical of Federal Government facilities that have remained in useful service many years after their construction. (General Services Administration)

and restore older buildings for new uses and the reduction of extensive and costly leasing as a substitute for government ownership.

In the early days, though, records suggest that much of the committee's time was devoted to Washington. Some of the matters with which the committee wrestled may seem mundane today, but they often involved basic issues which decades later resulted in broad policy decisions.

The committee's focus on buildings brought to it, for instance, several labor-related questions. In 1840, a group of stonecutters working on the new Treasury Building petitioned the committee for wages lost during a two-month layoff while an appropriation for the building was awaited. The daily pay for stonecutters at that time was $2.25.

Overtime was the question when the committee received a plea from several White House employees on June 12, 1866. They were seeking compensation for "extra services rendered during the administration of our late and lamented friend and President, the Hon. A. Lincoln."

A different type of complaint—perhaps in the public health category—came from workers at the Capitol Building who asked the committee in 1852 to do something about the large number of ailanthus trees on the grounds. The trees, it seems, gave off an offensive ador and caused headaches and other illness.

Predating its formal concern with roadbuilding by nearly a century, the committee nevertheless received a petition in 1852 from residents of North Capitol Street in Washington. Excavation of dirt along the street for other purposes had changed its grade and caused damage to their property, the homeowners said. They were turning to the Congress, their petition conceded, having failed to secure relief from either the President or the District of Columbia government. A hundred years later, the 20th Century version of the committee was an active participant in the development of broad, general statutes to protect the rights of citizens, their property and the environment from the adverse effects of Federal activities.

Technological innovation occupied the committee's attention when Samuel Gardner, Jr., of New York sought in 1858 to install in the Capitol his device for igniting its gaslights by electricity. The lights, he said, could be turned on instantly "by the use of galvanic current, through the manipulation of telegraphic keys . . ."

But this advance was soon rendered obsolete. In 1885 Chairman William Mahone of Virginia (elected to the Senate as a member of the Readjuster party) reported on the committee's investigation of the possibility of lighting the Senate entirely by electricity. The committee concluded that the new system was far superior and cheaper than gas. Since the Senate had no funds for its installation, however, further study was recommended.

The main business of the committee remained the development and operation of the Federal workplace. In 1854 it gathered information on the possible construction of a building to house the State, Interior, War and Navy departments. This structure, adjacent to the White House, is now known as the Executive Office Building. Legislation to provide a new building for the expanding Smithsonian Institution was reported in 1888 and led to construction of the Arts and Industries Building on the Mall.

In the same year the committee tackled the jungle of overhead utility wires along Washington streets. A system of underground cables was proposed for the telephone and telegraph lines connecting government buildings. Enhancement of Washington's beauty also was a factor in an 1871 Senate resolution directing the committee to consider a requirement that railroad stations in the city be located away from public buildings.

Meanwhile, building was continuing all across the continent. Its extent is demonstrated by a report on the legislative activity during the 49th Congress (1886–87). Funds were authorized for 24 new and 37 ongoing building projects in 33 states. In that two-year period the Congress provided $7,736,405 for public buildings development.

In addition to its legislative activities, the Committee on Public Buildings and Grounds carried out its oversight functions. One noteworthy investigation took place late in the 19th Century.

In December, 1888, a subcommittee was formed, pursuant to a Senate Resolution, to investigate "the conduct of the office of the Supervising Architect of the Treasury Department . . . and to inquire into the laws, regulations, and customs

relating to the erection of public buildings . . ." Citizens from Springfield, Missouri, had made allegations of improper influence upon the Supervising Architect resulting in a change in the selection of a site for a Federal building in that city. The committee was granted subpoena power, the authority to "send for people and papers" as necessary. After hearing witnesses from Springfield and the Supervising Architect himself, the committee unanimously concluded there was no corruption or evidence of improper influence involved in the Supervising Architect's office.

Another significant investigation by the committee took place following World War I. Pursuant to a Senate resolution of October 11, 1919, the Public Buildings and Grounds Committee was directed to investigate and report to the Senate concerning the costs, construction and maintenance of public buildings, their location and plans for their future disposition.

The committee limited its investigation to the United States Housing Corporation, to which had been appropriated $100 million to provide emergency housing around the country for people working in arsenals, navy yards, and defense-related industries during World War I. The committee hired a counsel and staff for the investigation, and subpoenaed construction managers, field auditors and clerks, employees and others affiliated with the U.S. Housing Corporation.

After four months of intensive investigation, the committee found many examples of extravagance in design, building materials and extras (such as garages, and patent washtubs and patent clothes dryers) in houses built under the U.S. Housing Corporation. "[T]he officials of the Housing Corporation were engaged in making a demonstration of model housing rather than solving an emergency war problem." The committee concluded the "existence of the Housing Corporation is no longer in the best interests of the Government."

Because of the wrongdoings in administration of the program and because the war need had ended, the Public Buildings and Grounds Committee sought to abolish the Housing Corporation. Legislation to this effect was reported by the committee and became law in the 67th Congress (P.L. 67–179).

During the post-World War II period of the late 1940s and early 1950s, there was little Federal building activity. Some buildings were authorized in separate bills during this time, and some were constructed through lease-purchase authority enacted in 1954 and allowed to expire in 1957.

The Committee on Public Works was created in 1947 and assumed the jurisdiction of the Committee on Public Buildings and Grounds. This responsibility included the former authority for Federal buildings, the Capitol, the Library of Congress, Botanic Gardens, Smithsonian Institution, National Gallery of Art and Senate Office Buildings.

Prior to 1959, construction of public buildings was for the most part authorized by individual acts of Congress. There was no coordinated public buildings program. While Congress did pass omnibus building authorization bills in 1902, 1913, and 1926, no consideration was given to the development of a comprehensive Federal buildings program until after World War II.

Following recommendations of the Hoover Commission in 1947, the General Services Administration (GSA) was created in 1949 for the general management of Federal property and records. The Public Buildings Service was established within GSA to oversee Federal building activities and in effect became the "landlord" of the government.

In 1958 and 1959, the Committee on Public Works worked to structure and codify procedures for the authorization of Federal buildings. The outcome was the Public Buildings Act of 1959 (P.L. 86–249), which vested authority and responsibility in the Administrator of GSA, through the Public Buildings Service, for acquiring, altering, repairing, remodeling, improving, and extending public buildings, and acquiring the necessary sites and additions to sites for such buildings. Provision was made to authorize building projects by resolutions adopted by the public works committees of both the House and Senate.

These resolutions were to approve specific projects proposed by GSA. The Act required GSA to submit prospectuses describing the need for construction, repair, or alteration of a public building if the project was to cost more than $500,000. Amendments to the Act in 1972 also required prospectuses for new leases or lease renewals in excess of $500,000. These requirements left smaller projects to the discretion of GSA but retained congressional control over major proposals.

Section 11(b) of the Act authorized the public works committee of either body to direct GSA to survey the possible need for a public building project in a specific locality "and report thereon within a reasonable time." Such reports were to contain ". . . all other information required to be included in the prospectus . . ." These reports were deemed identical to prospectuses for the purpose of approval by committee resolution. They effectively permitted the committees to circumvent the authorization procedure of the 1959 Act and authorize projects that did not have approval of the executive branch for submission as prospectuses.

The Cooperative Use Act

By the mid-1970s, committee members felt that GSA and the Public Buildings Service were focusing on leasing and construction of new Federal buildings rather than giving sufficient consideration to the use of existing buildings. At the same time, a need was perceived to make Federal buildings more inviting and accessible to the public.

In February, 1975, Senator James Buckley (R/Cons–NY), together with Chairman Jennings Randolph, Senator Howard Baker (R–TN) and Senator Robert Morgan (D–NC), chairman of the Subcommittee on Buildings and Grounds, introduced S. 865, the Public Buildings Cooperative Use Act. This bill was intended to encourage the purchase of buildings of historic, architectural, or cultural significance for transformation into Federal office space, and to permit private cultural and commercial activities in public buildings. A principal objective of the sponsors was to make Federal buildings a part of community life instead of being viewed as remote enclaves occupied only by the government. The measure was reported by the committee on July 31, passed the Senate by voice vote on August 1, and became law (P.L. 94–541) on October 18, 1976.

Saved from the wrecker's ball by the Committee on Public Works and given a new function through the Cooperative Use Act, the Old Post Office in Washington, DC, is now a magnet for visitors to the national capital city. (General Service Administration)

The first project initiated under the Cooperative Use Act was the Old Post Office Building on Pennsylvania Avenue in Washington, DC. Constructed in 1899, this Romanesque-style building was the first built in the area now known as the Federal Triangle. Vacated by the postal service in the 1930s, it was scheduled for demolition whenever funds were available.

A cooperative effort involving approximately $10 million in private funds and a Federal investment of $29 million was initiated following enactment of the

Cooperative Use Act. The 10-story building, which has the largest sky-lit courtyard in the world, was reopened in 1983. The upper floors now house the offices of the National Endowment for the Arts, the National Endowment for the Humanities and the Institute for Museum Services. The lower floors contain 50 shops and restaurants overlooking a performing arts area.

Senate Office Buildings

From its creation in 1838 until the realignment of 1977, the committee was active in the development and operation of the Capitol and congressional buildings on Capitol Hill, originally known as Jenkins Hill when the city of Washington was laid out. The expansion of the Capitol Building and the construction of Senate and House office buildings were major committee efforts.

Late in the 19th Century the Senate had outgrown its wing of the Capitol Building. Construction of the first Senate Office Building was authorized and three sections were completed in 1909. The fourth wing was added in 1933, making a four-sided building occupying an entire block.

The growth of government following World War II placed further pressure for more office space on the Congress. In the first year of its life as the new Committee on Public Works, the committee developed legislation (P.L. 80–169) authorizing the Architect of the Capitol to begin planning a second office building for the Senate. Construction authorization followed (P.L. 80–785) and the new structure was occupied in 1958. As part of the project, a new subway system was built connecting both Senate office buildings with the Capitol.

The two structures then became known as the Old Senate Office Building and New Senate Office Building. In 1972 they were named in honor of former Senators Richard B. Russell of Gerogia and Everett M. Dirksen of Illinois, respectively.

Authorization and early work on a third office building was the last major project undertaken on the Capitol Grounds by the committee before relinquishing that jurisdiction in 1977. Anticipating the need for further office facilities, the committee reported and the Senate passed legislation in 1958 (P.L. 85–591) directing the purchase of land adjacent to the New Senate Office Building for $1.250 million. This action permitted the Senate to obtain the remainder of the block containing the Dirksen Building. The only exception to the purchase was a corner lot occupied by the Belmont House, a historic home once the residence of Alexander Hamilton.

In 1972 the committee initiated the construction of what was then considered an extension of the Dirksen Building. The authorization bill (S. 3917) was reported by Senator Mike Gravel (D–AK), chairman of the Subcommittee on Public Buildings and Grounds, and was passed by the Senate on September 13. Similar action was not taken by the House of Representatives, however, and authorization ultimately was provided through the Supplemental Appropriations Act of 1973 (P.L. 92–607). In 1979 the new building was named for Senator Philip A. Hart of Michigan.

Concerned about continuing controversy over the cost and design of the recently

completed (1968) Rayburn House Office Building, the committee insisted on periodic review of plans and progress on the new building. Funding was originally set at $47.9 million, but inflation and design changes soon began to be reflected in requests for additional appropriations. Only two years after the project was authorized, an additional $20.9 million was appropriated, raising the total at that point to $68.8 million. Additional funds were again provided in 1979, but the Congress also imposed a spending ceiling of $137.7 on the newest Senate office building.

Largely at the initiative of Senator Baker, the committee conducted a unique hearing on June 5, 1974, when it convened a panel of architects and planning experts to help it evaluate the preliminary plans for the building. Preceding the hearing, the committee placed the plans on public display for a week. Shortly after the hearing, the committee gave its approval to the plans. Groundbreaking took place in January, 1976. Evolution of the building eventually resulted in a structure approximately twice as large as that originally envisioned.

Jurisdiction over the Capitol Grounds—and with it the new Hart Building—was transferred to the Committee on Rules and Administration in 1977. Members of the Environment and Public Works Committee, however, remained actively interested in the project. Senator John Chafee (R–RI) referred to the building as the "Senate's shameless Taj Mahal" and regularly led fights against additional funding. He refused to occupy an office in the building when it was completed. Another member, Senator Daniel Patrick Moynihan (D–NY), expressed offense at the sight of the building when a plastic sheathing was removed during construction and proposed that the plastic be replaced.

During his six years as chairman of the committee (1981–86), Senator Robert T. Stafford (R–VT) also served as chairman of the Senate Office Building Commission. That body, created in 1904 to supervise the construction of Senate buildings, provided a continuing opportunity for committee influence on the Hart Building.

The building was occupied in 1983.

The reorganization of Senate committees in 1977 had litle impact on the committee's public buildings jurisdiction except for the loss of responsibility for the Capitol Building and grounds. The committee also retained jurisdiction over the Supreme Court, Union Station and other Federal facilities on the perimeter of the Capitol grounds in addition to its general authority over government buildings programs. Responsibility for post office had become unnecessary earlier with the reorganization of the Post Office Department (P.L. 91–375).

Within the restructured committee, public buildings was assigned to the Subcommittee on Regional and Community Development chaired by Senator Quentin Burdick (D–ND). Subsequently, though, the committee decided that because many buildings issues were decided only by the committee and not the full Senate, they should be considered from the beginning by the entire committee. Senator Stafford and Senator Moynihan became the committee's chief spokesmen on buildings matters. This arrangement remained in effect until 1987 when public

buildings jurisdiction was assigned to Senator Moynihan's Subcommittee on Water Resources, Transportation, and Infrastructure.

The Reform Movement

In the late 1970s there was increasing concern in the committee that the procedure established by the 1959 Act was not satisfactory. The prospectuses submitted by GSA did not contain enough information for the committee to make informed judgments on the need for the proposed buildings. Other details such as their actual cost, location, and design were not included. Committee approval thus constituted a virtual blank check to the agency to carry out a project prior to site selection or design.

The prospectuses received by the committee were transmitted to the Congress in an unscheduled and unanticipated fashion throughout the year. While each prospectus was accompanied by a pro forma declaration asserting the project's importance to the efficient functioning of the government, the committee received no information on the relative priorities among various proposals. GSA had no long-range planning program guiding the substance or timing of prospectus submissions.

Furthermore, there had been a substantial increase in GSA leasing in lieu of buying or building Federal workspace. Under the premise that there was an immediate budgetary advantage to lease as opposed to construction or purchase of a building, GSA had moved more and more toward leasing. By fiscal year 1980, 52 percent of the employees housed by GSA were in leased space, and rental payments consumed more than 39 percent of the entire PBS budget. By contrast, historically the government had met about 80 percent of its space needs through government ownership.

Projects were authorized with no assurance that money would be appropriated. Some projects remained unfunded for years, and others were never built at all. Given the ad hoc nature and unpredictable timing of prospectus submittals, it was impossible for either GSA or the Congress to devise rational public buildings budgets.

The large number of prospectuses forwarded by GSA left the committee little time for scrutiny and oversight of the public buildings program as a whole. Projects costing less than $500,000 were not subject to congressional review or approval at all. A number of criminal actions came to light in relation to these smaller projects.

On March 12, 1979, following committee deliberations over proposed renewal of a long-term lease, the background and purpose of which were questionable, and aware of reports and criminal proceedings alleging misfeasance in GSA, the Committee on Environment and Public Works voted unanimously to impose a moratorium on further approval of all nonemergency prospectuses.

The committee agreed at that time to undertake a review of the public buildings program and to develop remedial legislation.

For the rest of that year, the committee held extensive hearings. Meetings were held with experts in the fields of real estate, construction and design, as well as with officials of GSA and the General Accounting Office. At the end of this period, a comprehensive bill totally restructuring the Federal program was introduced by all committee members in December, 1979, and became the Public Buildings Act of 1980 (S. 2080). It was ordered reported by the committee unanimously on May 15, 1980.

The committee bill repealed the 1959 Act and reorganized the public buildings program of the General Services Administration. The proposal replaced the unwieldy prospectus procedure with a number of measures designed to enable GSA to undertake long range planning and to permit the Congress to fulfill its proper role of oversight and policy formulation, divesting it of the housekeeping chores of deciding when a specific lease should be renewed or a building's roof repaired.

GSA was required to submit a public buildings plan to the Congress on an annual basis, including a five-year projection of the Government's public buildings needs. An annual report of GSA's buildings operations was also required. These documents were intended to provide Congress and the executive branch information needed for budgeting and systematic review of the entire program. The legislation also established an annual authorization for the total buildings program. Lump-sum authorizations were provided for minor projects; major projects were to be authorized for appropriation only after preliminary planning and design had been completed.

S. 2080 also addressed the issue of leasing. The bill required GSA to diminish the relative size of its leased inventory in stages. Within 10 years of passage, 60 percent of Federal employees were to be located in government-owned space, and within 20 years, 75 percent. At the same time, GSA was to reduce its leased inventory by nearly 40 million square feet.

Other innovative provisions contained in S. 2080 included:

—establishment of siting priorities, addressing the need to locate Federal offices in optimum locations, convenient to public access;

—reinforcement of previous committee efforts to ensure use of existing Federal building inventory before space is sought elsewhere;

—clarification and strengthening the policy of purchasing and adapting existing, and particularly historic buildings, established by the Cooperative Use Act of 1976;

—establishment of design criteria for Federal buildings and architectural competitions for such design.

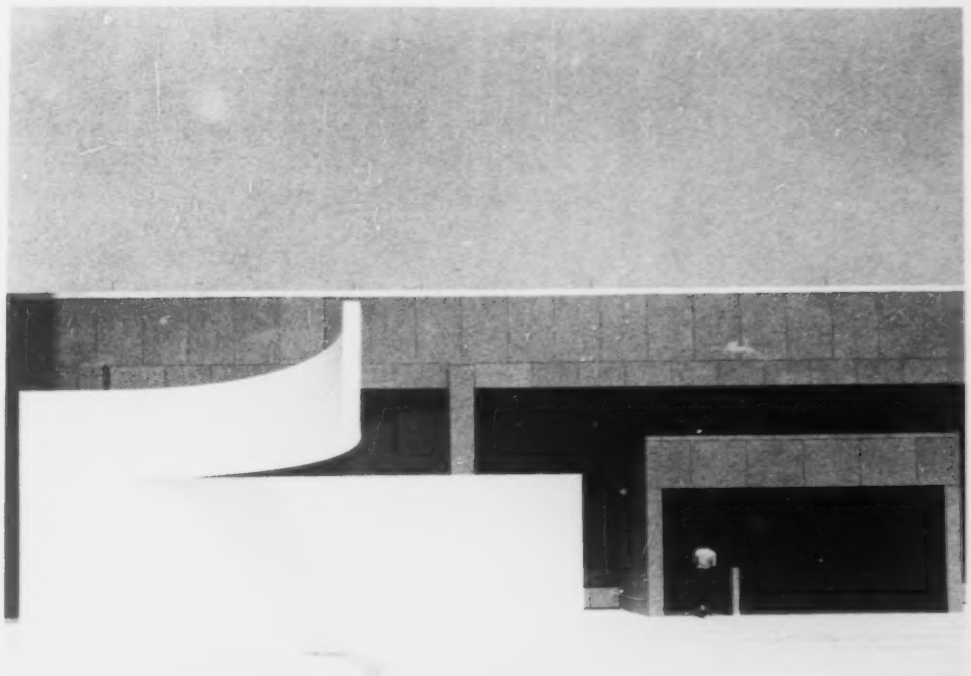
The Senate passed S. 2080 on June 20, 1980, by a vote of 71–8. The House of Representatives subsequently adopted a measure comparable to only one section of the Senate bill. The two bodies were unable to resolve their differences prior to the end of the 96th Congress.

In both the 97th and the 98th Congresses (1981–84), the committee approved and the Senate passed, buildings reform bills substantially the same as S. 2080. In both Congresses the committee also reported and the Senate passed public

buildings authorization bills. The 1981 action marked the first time the Senate had acted on an overall GSA public buildings authorization bill. The House of Representatives did not consider any of these measures. The House Committee on Public Works and Transportation continued to approve building construction, alteration, and repair projects through the prospectus procedure formulated in 1959.

The 99th Congress (1985–86) again saw Senate action on an annual buildings authorizations bill (S. 1030), but the committee did not report a reform bill.

Building projects continue to be authorized by the Senate through an annual authorization measure while the House continues to operate through the prospectus procedure of the 1959 Act. The committee believes, however, that while its annual authorization bills have not become law, they are valuable in providing an assessment of the total buildings program and are a guide to the appropriations committees in the allocation of funds.



Most new Federal buildings are of contemporary design and are encouraged to includes works of art. This one, in Columbia, SC, features a large sculpture in its plaza. (General Services Administration)

John F. Kennedy Center for the Performing Arts

A cultural center for the Nation's Capital had been discussed for years before Senator J. William Fulbright (D-AR) introduced legislation (S. 3335) in 1958 for its creation. The committee and the Congress approved the idea. On September 2, 1958, a new law (P.L. 85–874) authorized the construction of the National Cultural Center. It was to be built on the banks of the Potomac River with private donations and governed by a Board of Trustees within the Smithsonian Institution. The authority would expire, however, if sufficient contributions had not been received in five years.

That was exactly the situation faced by the committee in early 1963. Fund-raising was incomplete and the committee, as a result, developed a new statute (P.L. 88–100) allowing an additional three years to raise construction money and making other changes in the original law.

Just over three months after its enactment, President John F. Kennedy was assassinated. According to a committee report, "intense desire was expressed throughout the country for the establishment of an appropriate memorial to perpetuate many of his aims and ideals."

Only a few weeks after the President's death, Senator Fulbright, joined by many other Senators, proposed naming the cultural center in his memory (S.J. Res. 136). Action on the proposal was expedited, and it was approved on January 23, 1964 (P.L. 88–260). Designation of the center as a presidential memorial also allowed the committee to propose that a Federal contribution be made to its construction. This action, the committee report said "will permit participation by all of the people of the United States in its completion." Cost of the building at that time was estimated at $31 million, and a Federal share of $15.5 million was authorized. The Board of Trustees also was permitted to issue $15.4 million in bonds for construction of parking facilities.

By 1969, the center was about 50 percent completed and available funds had fallen short of the need. At that time the total cost had risen from $46.4 million to $66.2 million, an increase attributed to design changes, inflation, strikes, and inaccurate estimating. Trustees told the committee that it would be impossible to raise the needed funds from private sources.

In response, the committee agreed to increase the Federal construction contribution by $7.5 million (to $23 million) and increase the parking bond authority by $5 million (to $20.4 million). The proposal was enacted (P.L. 91–90) and construction continued.

The building was completed and immediately became one of Washington's most popular attractions, both for its cultural activities and as a memorial to the late President Kennedy. For this latter function, the committee provides annual authorizations to the National Park Service for the support of the non-performing arts functions of the center.

In a few years, structural defects in the building demanded the committee's attention. Serious water leaks throughout the Kennedy Center complex resulted

in legislation (P.L. 95–50) authorizing $4.5 million for extensive repairs and reconstruction.

National Visitor Center

Washington's Beaux Arts-style Union Station, designed by architect Daniel Burnham, was constructed in 1907 by the Baltimore and Ohio and Pennsylvania Railroads at a cost of approximately $21 million. For many years it served millions of passengers as Washington's only railroad terminal. But with the decline of railroad passenger service in the 1950's, its vitality and usefulness diminished.

Mindful of the large numbers of tourists who visit Washington annually and the approaching bicentennial of the United States, the Congress vote to transform Union Station into the National Visitor Center. Under the provisions of the National Visitor Center Facilities Act of 1968 (P.L. 90–264), the project was to be carried out by the National Park Service, under the Secretary of the Interior, in consultation with GSA.

The visitor center concept originated with the Public Building and Grounds Subcommittee of the House Committee on Public Works. The House passed a measure (H.R. 12603) in the 90th Congress authorizing its establishment at a projected cost of approximately $20 million. The Senate passed a similar version of this bill in February, 1968, and President Lyndon Johnson signed it into law in March of that year.

Construction of the parking garage for the National Visitor Center was suspended by the Interior Department in 1976 because of a $4.9 million cost overrun. The center itself was rushed to completion in time for the Nation's bicentennial, and opened on July 4, 1976. It included a hall of flags, a bookstore, showcases, and a vast carpeted sunken area with a multiprojector musical slide show.

The Center did not attract as many visitors as expected. Those arriving in the city tended to enter it by air or by automobile. The Visitor Center closed in 1978.

The energy crises of the 1970s and renewed interest in rail travel stimulated a resurgence in train usage. By 1984 Union Station was the third busiest in the Amtrak railroad system—after New York and Philadelphia—handling two million passengers annually. These passengers were greatly inconvenienced by the lack of adequate facilities at the newer and smaller station constructed behind the old building as part of the Visitor Center program. The main terminal, abandoned and empty, began to deteriorate. Concern over the structural integrity of the building prompted the committee in 1980 to develop legislation (S. 2729) providing for emergency repairs to the roof and exposed structural elements of the building. This measure was enacted in December, 1980 (P.L. 96–610). Two months later, the building was declared unsafe and closed. Approximately $117 million in Federal funds had been spent on the facility since the center was authorized.

In the 97th Congress (1981–82) the Senate Commerce Committee and the Environment and Public Works Committee reported legislation (S. 1192) to return Union Station to its original use as a rail terminal. The bill shifted responsibility

for the facility from the Department of the Interior to the Department of Transportation, and authorized a one-year study of the building's structural integrity and potential for commercial development. Completion of the parking garage was also authorized, using Interstate Highway funds appropriated to the District of Columbia. This measure became law on December 29, 1981 (P.L. 97–125).

In 1983 Transportation Secretary Elizabeth Hanford Dole launched a rehabilitation effort. A nonprofit organization, the Union Station Redevelopment Corporation, was formed to oversee the restoration work. Members of the corporation consisted of the Secretary of Transportation, the president of Amtrak, the mayor of Washington, DC, the Federal Railroad Administrator, and the president of the Federal City Council.

A $150 million restoration is expected to be completed by the end of 1988. It is being financed by Amtrak, the District of Columbia, and by private developers. Five restaurants are planned, 100 shops on three levels, nine movie theaters, outdoor cafes, 80,000 square feet of offices, and a 1,200-space parking lot are under construction. When construction is completed, the facility will be operated by private interests, who will pay an initial $1 million per year in rent to the Federal Government. It will be totally self-supporting and will no longer be a Federal responsibility.

In 1988 the committee also reported legislation providing for a new building for offices of the Supreme Court and the Administrative Office of the United States Court. The act (P.L. 100–480), sponsored by Senator Moynihan, would permit construction of the building on government land adjoining Union Station by a private developer. The government would acquire the structure under a lease-purchase arrangement.

International Cultural and Trade Center

Early in the 100th Congress (1987-88) the committee began the development of legislation to complete the Federal Triangle complex of government buildings in downtown Washington. Legislation proposed by Senator Moynihan and other committee members was enacted (P.L. 100–113) authorizing the construction of the International Cultural and Trade Center in an area then used as a parking lot.

The committee bill provided for a new financing plan to facilitate construction of the new facility at a time when public funds for Federal buildings were scarce. The Center will be constructed by a private developer and leased to the Federal Government for up to 30 years. At the end of the lease the government will become the building's owner.

The Center, located adjacent to the Old Post Office, will accommodate a variety of functions. A substantial amount of space will be used to consolidate and house Federal agencies, and reduce the amount of office space leased by the government. The International Cultural and Trade Center itself will occupy 500,000 square feet and will house foreign missions, domestic and international organizations involved in international trade; a world exhibition center; an international bazaar; a centralized foreign trade reference facility; and conference facilities.

When it was renamed and its responsibilities expanded in 1947, the Committee on Public Works was assigned jurisdiction over most Federal water resource development programs. At the time, the responsibility was largely the civilian water resources programs of the Army Corps of Engineers. The committee thus assumed the direction of activities that had greatly aided the expansion of the United States from a collection of East Coast enclaves to a continental nation. Although environmental protection was not a major national focus in 1947, the water resources judisdiction brought with it the statutory and historical precedent upon which the committee built the foundation of the present pollution control programs of the Federal Government.

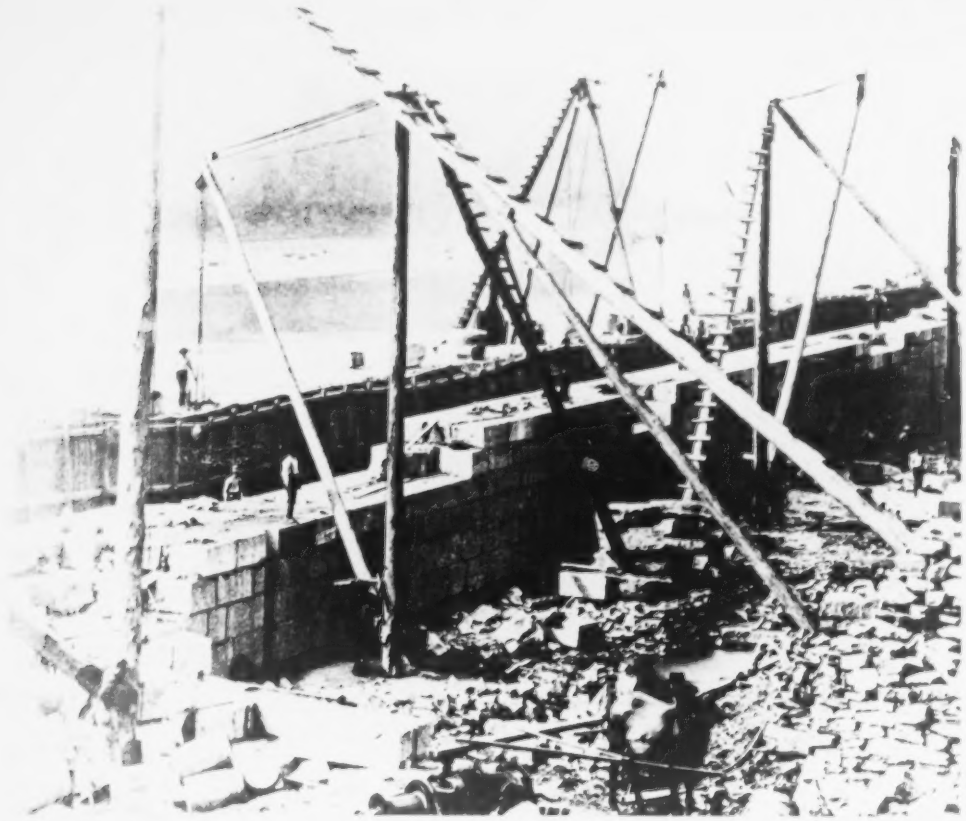
Over the past four decades the scope of the Corps of Engineers' work has changed as much of its original mission was accomplished and public policy affecting water projects changed. Its work has been similarly altered by spending constraints of recent years and by the raising of environmental consciousness which has forced new ways of looking at construction-oriented activities. The Corps of Engineers, often maligned by preservationists, itself became a major enforcer of environmental rules in 1972. In that year, the Congress chose the Corps to administer a key portion of the Clean Water Act, Section 404, which controls the removal and discharge of materials from or into navigable waterways. The Corps of Engineers today processes more than 10,000 applications annually under that program.

The committee's authority over water programs was broadened by passage in 1954 of the Watershed Protection and Flood Protection Act (P.L. 83–566). This statute was intended to assist agriculture by the construction of small upstream dams, channelization of streams and conservation measures. The committee has jurisdiction over the larger of two categories of projects carried out by the Agriculture Department's Soil Conservation Service.

Early Activities

Federal Government involvement in water resources planning and development was first manifested in the promotion of inland water transportation, which began in the first half of the 19th Century and was essential to commerce in the early populated areas and particularly to westward expansion.

In 1824, the Congress passed the General Survey Act, empowering the President to employ civil engineers and "officers of the Corps of Engineers" in making survey plans and estimates of canals and roads deemed of national importance. This legislation initiated a brief period of centralized national planning of improvements during which the Corps did the initial planning of such major works as the Chesapeake and Ohio Canal and the completion of the Cumberland Road.



Inland waterways were a major focus of water resources development in the 19th Century. This 1891 photograph shows the building of a canal along the Cumberland River in Tennessee. (Army Corps of Engineers)

The Corps of Engineers' responsibilities for rivers and harbors planning and improvements also began about the same time, but these were not authorized by the General Survey Act but by separate congressional enactments. The first omnibus Rivers and Harbors Act, authorizing specified improvements and new surveys, was passed in 1826.

This legislation became the prototype of the enabling legislation of the Corps' navigation improvements program, and later of its flood control and other programs.

During the great increase in river and harbor improvements in the years following the Civil War, political factors often caused a demand for improvement of some river or harbor which was found when surveyed to have no commercial potential. To avoid the cost of a full examination and survey in such cases, Congress in 1884 passed general navigation legislation directing that no survey should be made of any rivers or harbors until the district engineer had ascertained that "said harbor or river is worthy of improvement."

But the power of deciding whether a body of water was worthy of improvement was never that of the Corps of Engineers, but of the Congress.

Beginning in the middle of the 19th century, successive acts of the Congress also gave the Corps of Engineers responsibility to protect the navigability of waters against various kinds of encroachment. By the end of the century, the Corps was charged with regulatory responsibilities concerning bridges, wharves, piers, channels and harbors, diversions of water, and deposits of refuse and other materials.

Flood control remained a purely local concern much longer than navigation. But national interest in it grew in proportion with the growth of settlement, particularly in the flood-ravaged lower Mississippi Basin.

In 1849 and 1850, Congress passed the Swamp Lands Acts granting Federal lands subject to flooding in Arkansas, Louisiana, Mississippi, and Missouri to those States with the proviso that the proceeds from their sale be used for flood control or drainage projects.

In the following decade, under congressional mandate, the Corps of Engineers undertook surveys of the flood problems of the Mississippi and reported the necessity of extensive levee construction which was beyond the financial capability of States and local governments. But proposed appropriations were defeated, in part because of post-Civil War regional hostilities. These studies, however, were influential in continuing the belief that levees only were needed for flood prevention in the lower Mississippi.

In 1874, after a disastrous flood, Congress appointed a commission of engineers to report a permanent plan for reclaiming the part of the Mississippi Valley that was subject to flooding. The resulting report discussed alternative flood control methods and severely criticized the ineffectiveness of uncoordinated local levee construction.

This led in 1879 to the establishment of the Mississippi River Commission, composed of three members of the Corps of Engineers, one of the U.S. Coast and Geodetic Survey, and three civilians. The Commission was empowered to survey the river and prepare plans which would improve navigation and prevent floods. However, until 1890, Congress restricted appropriations for the Commission to improvement of navigation, expressly prohibiting use of Federal funds on levees. Levees continued to be a local responsibility.

The Board of Engineers for Rivers and Harbors was created by legislation in 1902. Its mandate was to review all reports on preliminary examinations, surveys, projects, or changes in navigation projects and to make recommendations thereon to the Chief of Engineers. The Board was required to evaluate the commercial potential of any proposed improvement and relate it to the cost of construction and maintenance. The establishment of the Board of Engineers reduced congressional approval of unsound projects by providing for the culling of unfeasible projects by the Corps itself.

Heavy flooding in both the Mississippi and Ohio valleys in 1912 and 1913 resulted in congressional hearings on whether continued dependence on levees was wise and whether there should be a greater Federal effort in flood control. Strong arguments were advanced on all sides of the questions.

Finally, in 1917, the Congress adopted the first Federal flood control act giving the government some responsibility for flood control in the Mississippi and Sacramento river basins. The statute also established the concept of cost sharing under which local interests would contribute to projects in the two areas. For levees, the local share was set at about one-third since communities provided rights of way for construction.

Prior to 1920, omnibus river and harbor bills simultaneously authorized planning or construction and appropriated the required funds. After 1920, authorizing legislation and appropriations were enacted separately.

The issue of who was to pay for water resources projects has been debated since the beginning of this century. As early as 1908, President Theodore Roosevelt's Inland Waterways Commission recommended that both local and national benefits be considered in planning navigation projects, "with a view to an equitable distribution of costs and benefits."

The 1920 Rivers and Harbors Act required that each Corps report on a proposed navigation project contain a statement of the benefit that would accrue to localities affected by the proposed improvement, with recommendations as to what, if any, local contribution should be required.

Prior to the disastrous floods on the Mississippi River in 1928, the Corps of Engineers' activities in flood control were confined primarily to the construction of levees. In the aftermath of that flooding, the Congress called for Corps reports on the effect on flood control of the lower Mississippi of a reservoir system on its tributaries. Henceforth the Corps recommended reservoir construction, conditioned on local participation in planning and financing construction.

The New Deal

The election of 1932 ushered in the New Deal as the Federal Government sought to end the depression. President Franklin Delano Roosevelt's approach to water resources planning was based on the need for immediate action in the form of public works projects to stimulate construction industries and provide jobs for the unemployed. Such planning was, however, to be related to and coordinated with plans for comprehensive development of entire river basins.

The Tennessee Valley Authority, a unique Federal corporation, was created in 1933, the only agency empowered to exercise all Federal functions in the development of water and related land resources within a specific geographic area. The Soil Conservation Service was created within the Department of Agriculture at about the same time, and the functions of the Corps of Engineers and the Interior Department's Bureau of Reclamation (established in 1902 to carry out water projects in 17 Western States) were expanded.

Beginning in 1935, the Congress granted the Corps virtually a continuing authority to undertake nationwide river basin planning, with an emphasis on navigation. In the following year, the 1936 Flood Control Act extended Corps authority for flood control beyond the Mississippi to the Nation at large and marked the

start of widespread Federal involvement in flood control. That act also authorized $320 million to carry out 200 projects in 31 States.

Following another series of catastrophic floods, a large number of basin-wide flood control plans were authorized for construction in 1938. But most civilian water resource work was held in abeyance as the Corps of Engineers devoted itself to military matters during World War II.

Despite the much publicized public works programs of the New Deal, the Corps of Engineers' construction program expanded even more during the 1940s and 1950s. The Flood Control Act of 1944 authorized an unprecedented number of projects, under the assumption that there might be a resumption of mass unemployment after the end of the war. Appropriations were made for construction of these projects throughout this period and into the 1960's.

Among the projects authorized and constructed in this period was the Pick Sloan Missouri Basin Program, consisting of six dams on the upper Missouri River in Montana, North Dakota, South Dakota, and Nebraska. While one of the six, the Fort Peck project, was administratively authorized in 1933, the remaining dams were authorized by the Flood Control Act of 1944. Construction of this system was completed in 1965. It provides flood control, hydropower, irrigation, and navigation for the entire upper Missouri River.

In 1947 the new Committee on Public Works assumed jurisdiction over the Corps of Engineers program which had formerly been within the purview of the Commerce Committee. To accommodate this jurisdiction, the committee established a Subcommittee on Flood Control and Improvement of Rivers and Harbors. Its first chairman was Senator George W. Malone (R-NV) with Senator John L. McClellan (D-AR) the ranking minority member.

For several years the widespread interest in its subject matter made this body the most active and influential of the committee's subcommittees. It maintained its prominence until the beginning of construction of the Interstate highway system in 1956 moved the Subcommittee on Public Roads into greater visibility.

The importance of the subcommittee was such that it attracted some of the most prominent members of the Senate to serve as its chairman. Two Senators, Pat McNamara (D-MI) and Jennings Randolph (D-WV), presided over the subcommittee after being elevated to the chairmanship of the full committee. The subcommittee chairmanship was held for eight years each by two Senators, Robert S. Kerr (D-OK) (1955–62) and Mike Gravel (D-AK) (1973–80). At the beginning of the 100th Congress (1987–88) water resources became part of the subject matter of the comprehensive Subcommittee on Water Resources, Transportation, and Infrastructure chaired by Senator Daniel Patrick Moynihan (D-NY).

Over the years project purposes had been expanded beyond navigation and flood control to include hydroelectric power, recreation, and water supply. It was about this time, in the mid 1940s, that the Congress began its biennial passage of flood control and river and harbor bills, authorizing large numbers of projects every other year.

Throughout the remainder of the 1940s and 1950s, water projects were built throughout the country. But a backlash began to develop as critics of the water program accused both the Congress and the Corps of Engineers of approving and building many projects on the basis of political expediency rather than merit.

In the 88th Congress (1963–64) a Special Subcommittee on Western Water Development was created under the chairmanship of Senator Frank E. Moss (D-UT) to explore water supply shortages in the western United States and possible methods of alleviating them. The special subcommittee reviewed the concept of diverting surplus water from Alaska and Canada to areas of the two countries where there were shortages. Despite engineering and financial obstacles to this water supply solution, the special subcommittee felt the possibility should be pursued and published a document summarizing proposed and completed Federal water resources projects that could be related to the plan.

Two Presidential commissions and two commissions on reorganization of the executive branch were conducted between 1949 and 1955. All reached the same conclusions about the Corps program, water projects, and water policy: greater centralization and control over water resources planning and project approval were necessary to correct the biases of the congressional project process.

As environmental sensitivity increased in the 1960s, deteriorating air and water quality as well as the rapid disappearance of natural scenic features and fish and wildlife became public issues. While the water resources programs in the 1940s and 1950s were criticized on grounds of fairness and equity, by 1970 questions were raised about the effects of water projects on the environment and, indeed, the need for these activities at all. The previously unquestioned primary role of the Federal Government in water project construction came under attack.

At the same time the committee was responding by expanding its jurisdiction over environmental matters, a jurisdiction which derived from its assigned responsibility for "oil and other pollution of navigable waters." There was growing support for the belief that the committee should have jurisdiction over both the developmental and protective activities of the Federal Government. This concept of dual responsibility was formalized in the Senate reorganization of 1977.

Subsequent to passage of the Water Resources Act of 1970 (P.L. 91–611), cost sharing became the dominant issue. The debate was intense and required more than 15 years to resolve. Although a water resources bill dealing with policy matters was enacted in 1976 (P.L. 94–587), no major legislation authorizing multiple projects became law again until 1986.

Typical of modern waterway transportation facilities which are needed to move massive amounts of freight is the Robert S. Kerr Lock and Dam on the Arkansas River, named after a prominent member of the Committee on Public Works. (Army Corps of Engineers)

The Carter Years

After taking office in January, 1977, one of President Jimmy Carter's first acts was to propose that 18 previously authorized water projects be deleted from the budget and not funded for construction. This "hit list" was intended as a symbol of the new President's independence from traditional politics and his determination to guard both the public purse and the environment. This proposal was not well received by members of the Congress, who viewed this action as an executive intrusion into the prerogatives of the legislative branch. It was rejected, but the sharp differences between Capitol Hill and the White House contributed to the deadlock on water resources policy that existed until near the end of the Carter Administration.

During the hiatus on water resource legislation, attempts were made to develop a new national policy under which the Federal Government would not be the sole source of project financing. The focal point of the debate during the late 1970s was the proposed replacement of a navigational facility on the Mississippi River just north of St. Louis, MO, known as Locks and Dam 26.

The existing structure had been built in the 1930s with a relatively small capacity. That fact, together with its location at the southern end of chain of navigation locks on the Mississippi, and near where the Missouri and Illinois Rivers navigation systems empty into the Mississippi, made Locks and Dam 26 a bottleneck to river traffic.

The Corps of Engineers and waterway interests advocated the replacement and expansion of the existing facility at a cost of more than $500 million. The

environmental community and competing transportation systems opposed the replacement. The principal Senate figure in the controversy was Senator Pete Domenici (R-NM), the ranking minority member of the Subcommittee on Water Resources, who advocated the imposition of user charges to help pay for the replacement of Locks and Dam 26.

The connection between Locks and Dam 26 and waterway user charges, which had never previously been imposed, was first made during the 94th Congress (1975–76). Following a period of controversy, the matter was dropped from legislation then under consideration. The Water Resources Development Act of 1976 (P.L. 94–587) was enacted, but all navigation issues were deferred to the following Congress.

In the 95th Congress (1977–78), Senator Domenici introduced specific legislation (S. 790) to reconstruct Locks and Dam 26, with a portion of the cost to be financed through charges levied against the users of the inland waterway system. Following lengthy debate in the committee, the bill was reported to the Senate on May 16, 1977.

Meanwhile, President Carter had sent the Congress a proposal for new directions in national water policy. His plan had three major policy goals: to avoid wasteful or low-benefit water projects; to promote water conservation; and to bring state governments into financial partnership through a State-Federal cost-sharing scheme for future water projects.

The committee reported a general water resources bill (S. 1529) to which was added essentially the same provisions as contained in Senator Domenici's user charge bill. This measure was passed by the Senate but never acted on by the House of Representatives which instead adopted its own water resources bill (H.R. 13059). The House bill proposed a fuel tax to pay for the Locks and Dam 26 project. A period of parliamentary maneuvering then followed, during which neither the Senate nor House bill reached a conference committee.

Finally, a compromise on the user charge issue was reached and offered by Senator Russell Long (D-LA), chairman of the Senate Finance Committee, to a House-passed bill (H.R. 8533) relating to the taxation of bingo games. (A House-originated revenue bill was the necessary vehicle because of the proposed institution of a fuel tax.) Both the Senate and House accepted the compromise and on October 21, 1978, it became law (P.L. 95–502).

The remainder of the Senate's omnibus water resources bill was attached to a nongermane bill (H.R. 10979) authorizing the repair of highway potholes. The House, however, adjourned before acting on this measure.

The newly-enacted user charge law authorized construction of a replacement for Locks and Dam 26 and established the first waterways fuel tax. This was the initial break in the principle of total Federal responsibility for the inland navigation system since its development began more than a century earlier.

The Carter administration ended without enactment of any other form of cost sharing mechanism.

The Waterway Resources Development Act of 1986

With the advent of the Reagan administration a six-year debate began on cost sharing, a debate which culminated in the Water Resources Development Act of 1986 (P.L. 99–662). During that time, the leaders of the Subcommittee on Water Resources were Chairman James Abdnor (R-SD) and ranking minority member Daniel Patrick Moynihan (D-NY).

In 1981, legislation was proposed by the Reagan administration which provided for the recovery of all of the costs of constructing, operating, and maintaining the Nation's harbors. In December of that year, after extensive hearings, the Committee on Environment and Public Works reported S. 1692 to the Senate.

That legislation was the first measure ever proposed by a congressional committee to include deep draft harbor navigation user fees and a requirement for preconstruction non-Federal cost sharing. S. 1692 was never considered by the full Senate because of a controversy over cost differences between ports with heavy maintenance needs and those with minimal maintenance requirements.

Even though S. 1692 was not acted upon, it did represent a turning point in Senate water policy deliberations. Because of the 1978 Act and the committee's action in 1981, the question of imposing cost sharing and user fees at all for navigation projects was no longer an issue. The debate henceforth focused on the level and method of recovery.

The committee devoted most of the 98th Congress to producing S. 1739, the Water Resources Development Act of 1984, a measure containing both project authorizations and cost sharing. This measure was reported by the committee in June, 1984, but never came before the Senate.

S. 1739 was opposed by Members with inland navigation constituencies, who objected to the provisions in the Committee-approved package which would have placed a ceiling on Federal financial participation in the construction and maintenance of inland waterways.

As the user charge debate proceeded without resolution, the lack of authorization legislation prompted members of Congress to seek initiation of new project construction through the appropriations process without the approval of the authorizing committees. With the 98th Congress nearing adjournment, the confrontation between the appropriations committees and the Office of Management and Budget intensified. The omnibus spending resolution passed by the House in 1984 included the entire House version of an authorization bill (which did not include cost sharing) as well as funds to initiate construction on numerous projects which had not been authorized by Congress. The Reagan Administration announced that any spending bill which included funds to start new water projects, but did not include acceptable new cost sharing and user fees would be vetoed.

Senators Abdnor and Moynihan attempted to add the text of the committee's reported water resources authorization bill—which did include cost-sharing and

user fee provisions—to the Senate version of the spending resolution, but this was judged to be a nongermane amendment.

Ultimately, under threat of a Presidential veto, the conferees on the appropriations measure dropped all of the House authorizing language, and agreed to drop the funding for new projects. The 98th Congress ended with no authorizing bill.

Prospects for resolving the stalemate were uncertain at the beginning of the 99th Congress. The appropriations committees again proposed funding new project construction separately from the authorizing committees.

In June, 1985, however, Director David Stockman of the Office of Management and Budget called together a number of Republican Senators from the committees on Environment and Public Works, Appropriations, and Finance, for protracted discussions in the office of Majority Leader Robert Dole (R–KS). These meetings resulted in what amounted to a joint communiqùe on water policy which was printed in the *Congressional Record* of June 21, 1985. This document outlined the parameters of a water resources authorization bill which would be acceptable to both the Senate leadership and the Administration. Shortly afterward, on August 1, 1985, the Committee on Environment and Public Works reported legislation (S. 1567), which reflected the accord which the Senate leadership had negotiated with David Stockman.

Because the agreement with the Reagan Administration included the imposition of new navigation user fees, it was necessary for the Senate Finance Committee to review these provisions of S. 1567. In January, 1986, the Finance Committee reported these provisions favorably, and on March 26 the Senate passed S. 1567.

Conference meetings on this legislation began in June and concluded in October. The essential elements of the June, 1985, agreement were retained in the final measure approved by the conferees. The bill (H.R. 6) passed both Houses of Congress on October 17, 1986, the last piece of legislation to be voted on by both House and Senate in the 99th Congress. The bill was signed into law (P.L. 99–662) on November 17, 1986.

This measure authorized the construction of hundreds of new Corps of Engineers water resources projects and required, for the first time, that non-Federal beneficiaries of those projects pay a large share of the cost of building, operating and maintaining them.

The bill authorized a total of $16.3 billion in spending, of which $12 billion would be paid by the Federal Government and $4.3 billion by non-Federal interests such as States, local governments, port authorities, and commercial navigation companies.

The 1986 Act fundamentally restructured the way Federal river and harbor projects are financed by requiring non-Federal interests to pay a much greater share of project costs. Local port authorities were mandated to pay 10 to 50 percent of channel deepening costs in cash during construction, the amount depending on the depth of the project. In addition, they were required to pay another

10 percent plus interest after construction. Local authorities also were made responsible for providing all necessary project lands and dredge material disposal areas, but the value of those contributions would be counted toward the 10 percent due after construction.

Non-Federal interests now are also required to bear part of the cost of operating and maintaining harbors through the imposition of a 0.04 percent (4 cents per $100) tax on the value (ad valorem) of cargo moving through American ports. Revenues from the tax—about $140 million annually—will be used to pay up to 40 percent of harbor maintenance dredging costs formerly paid entirely by the Federal Government.

Beneficiaries of new Corps flood control projects were required by the legislation to pay at least 25 percent, but not more than 50 percent, of construction costs. The local share would consist of cash payments and all necessary project lands. At least 5 percent of the total project costs would have to be paid in cash during construction. The bill also provided for the relaxation of cost-sharing requirements for communities unable to meet them.

The 10 cent tax on barge fuel enacted in 1978 was increased in increments to 20 cents per gallon by 1995.

The non-Federal share of the cost of several other types of Corps projects was also increased. In addition, local authorities were required to pay half the Corps' cost of preparing feasibility studies for future projects.

The 1986 Water Resources Development Act effectively resolved many questions of policy that for several years impeded orderly functioning of Federal water resources programs, both operationally and legislatively. In the following two years the Congress and the executive branch seemed to be moving toward the "normalization" of water resources development. Presidential budgets of 1987 and 1988 including funding for new Corps of Engineers projects. During the same period, both the Senate and House public works committees acted on legislation that would return the Congress to the previous practice of biennial authorization of water projects. At the end of the 100th Congress, the committee anticipated that the resolution of major policy issues also would permit it to devote more of its time and resources to management oversight of water programs.

HIGHWAYS

For more than 40 years the involvement of the Federal Government in the national highway transportation system has been a major focus of the Committee on Environment and Public Works.

When the committee was reconstituted with a new name and a broader mandate, the United States had just emerged from World War II. In transportation, as in many other areas, there was a huge backlog of unmet demands. The prosperity of the post-war years made it possible to meet that demand. The Nation truly entered the age of the automobile, and with it came the need for a modern highway system, as patterns and modes of transportation changed dramatically.

The new Committee on Public Works thus began its congressional stewardship of the Federal highway program at a time when that program was about to expand to unexpected dimensions. Working with the basic highway statute enacted in 1916, the committee has continued since 1946 to refine the Federal role in highway transportation and adapt it to continually changing conditions.

The massive period of roadbuilding that has occurred since 1916, however, had a more humble beginning in the early days of the Republic.

Early Federal Involvement in Highways

The American colonies inherited from their mother country the tradition of leaving to local governments the responsibility for the construction and maintenance of roads. The largest cities sometimes had roads surfaced with gravel or pounded stone and extending from the rivers and coastal waters. These were the main avenues of transportation at that time. Longer routes were only horsepaths, such as the Wilderness Road through the Cumberland Gap, located by Daniel Boone in 1775.

The Federal Government's involvement in roadbuilding began in May 1796, when Congress approved a petition of Colonel Ebenezer Zane to build a post road through the territory northwest of the Ohio River to Limestone (now Maysville), Kentucky. This road became known as Zane's Trace, and the colonel's only compensation for its construction was the permission of Congress to locate his military bounty land warrants at strategic locations along the road. Zane's Trace became an important mail route and linked the western part of the country to the east.

During the 19th Century income from the sale of lands belonging to the Federal Government was routinely used for roadbuilding. New States were given from three to five percent of the proceeds from such sales for roads and other internal improvements.

Secretary of the Treasury Albert Gallatin, at the request of the Senate, compiled an inventory of the Nation's transportation resources in 1807. His report, published the following year, advocated an ambitious, federally funded program of road and canal construction. However, this proposal came at a time when Congress was still debating the constitutionality of the Federal Government's involvement in roadbuilding. The War of 1812 postponed consideration of the program.

In 1816 Senator John C. Calhoun of South Carolina, who had backed Gallatin's plan, introduced a bill that would have devoted the Federal Government's income from a proposed National Bank to a permanent fund for internal improvements. The bill barely passed the Senate and House only to be vetoed by President James Madison, who declared in his message of March 3, 1817, that the powers granted to the Federal Government to regulate interstate commerce and provide for the national defense did not include a power to construct roads and canals.

On March 19, 1806, President Jefferson approved an act authorizing the construction of a road from Cumberland, Maryland, to Wheeling, in what is now

West Virginia. This project was vehemently opposed by seaport cities, who did not want to compete for trade, and by strict constructionists, who felt that road construction was not a legitimate exercise of Federal power.

The first stretch of the National Road, or Cumberland Road (now known as U.S. 40), opened in 1813 and was so heavily traveled that its stone surface wore out almost as quickly as it was built. In 1822 the Congress authorized the collection of tolls on the road to provide funds for its maintenance. This measure was vetoed by President Monroe, who—in a position apparently contrary to that of Madison only five years earlier—stated that although the Congress had the power to make appropriations to construct internal improvements it did not have the right to impose duties on those who used the improvements. Monroe declared that this world be an unlawful taking of the land.

This was one of the early articulations of the concept of user charges. This question has been debated since that time and still is not fully resolved in the late 20th Century.

However, the refusal of the Federal Government to assert total control over highways it helped to build established a basic principle that continues to guide the national highway program. Even though the Federal Government may provide financial assistance, the primary responsibility for constructing, maintaining, and operating highways remains with the States.

In 1825 construction began on a westward extension of the National Road and continued for 15 years until the road reached Vandalia, then the capital of Illinois.

Congress remained divided over whether Federal financing for internal improvements was unconstitutional, and adequate funds were never appropriated to maintain the National Road. Finally, in 1835 it was turned over to the States to operate as toll roads. Another principle of the highway program was established, the responsibility of the States for maintenance. It remained generally unchanged until the 1970s when the Congress agreed that Federal assistance for road repairs was necessary to protect the massive investments in the nationwide Interstate system.

During the 19th Century, the Army and the Department of the Interior were authorized by the Congress to construct wagon roads in the west. These extended throughout the country in the area west of the Mississippi. The argument was made that it was not unconstitutional for the Federal Government to engage in roadbuilding in the territories. It was understood, also, that roads never could be built in such scarcely populated areas without the assistance of the United States Government.

When a generic, ongoing program of Federal highway aid was established following World War I, it followed this concept that a basic, national highway network would require Federal assistance to overcome the widely varying resources of the States.

Soon the hidden expenses inherent in the Nation's poorly constructed and maintained rural roads became apparent. The "Good Roads Movement" emerged in

the latter half of the century, inspiring several States to pass legislation to aid their counties in road construction.

The Agricultural Appropriations Act of 1893 provided $10,000 to enable the Secretary of Agriculture to make inquiries and disseminate information regarding roadbuilding. In October of that year, Secretary J. Sterling Morton established the Office of Road Inquiry (ORI). General Roy Stone was appointed to head the office, which would consist of himself and one clerk, and was given specific instructions not to influence the road policy of the States and counties. Stone effectively gathered and disseminated information and became a powerful advocate of the Good Roads Movement.

A few years later the Federal Government began its "Object Lesson Roads" program, through which States would be assisted in constructing short stretches of roads in rural areas. The purpose behind this program was to educate local roadbuilders and to inspire the general public to insist that States and localities build more and better roads. This program achieved its intended purpose; ORI received many requests for similar object lesson roads.

In 1899 the name of the agency was changed to the Office of Public Road Inquiries. In 1905 the agency lost its temporary status, becoming a permanent division of the Department of Agriculture, and its name was changed to the Office of Public Roads. Ten years later the name was again changed, to the Office of Public Roads and Rural Engineering.

An experimental appropriation of $500,000 to be used for the improvement of post roads was added to the Post Office Department Appropriations bill in 1912. The Secretary of Agriculture was to administer this program in cooperation with the Postmaster General, and States were to provide two-thirds of the cost of the projects. This program was not successful, however, since most States did not have the necessary funds to participate.

The stage was then set for the creation of a permanent Federal program to assist States with roadbuilding just at the time the nation was turning to the automobile in large numbers. The Federal-aid Road Act of 1916 established the first sizeable appropriation of Federal financial assistance and created a permanent program that codified several principals which had developed over the years and remain in effect today:

—The Federal-State relationship, in which Federal assistance is channeled through the States which have primary responsibility for implementation of the program;

—A State matching requirement for Federal funding contributions; and

—Distribution formulas for determining the apportionment of funds among the States, based on population, area, and road mileage.

Also included in the Act of 1916 was the prohibition of the use of any Federal funds on toll roads. This injunction remained with only a few minor exceptions until 1970, when the Congress authorized the use of Federal funds to upgrade toll roads that had been incorporated into the Interstate system. That action was

Getting the Nation out of the mud was a major objective of Federal highway programs early in the 20th Century, and this situation on the Jefferson Highway near DeQueen, AR, clearly shows the need. (Federal Highway Administration)

intended mainly to help bring the West Virginia Turnpike up to Interstate standards, but it also marked the first significant breach in the concept of no aid to toll roads. In 1987 a pilot program was authorized to assess the desirability of allowing the States to use Federal funds on toll facilities.

In 1921 the Congress elaborated on the 1916 action and completed the basic structure of the Federal highway program. The 1921 act established categories of highways and funding, and adopted other refinements to facilitate an ongoing program. Legislation two years later created the principle of contract authority whereby highway funds apportioned to the States could be obligated even if they had not yet been appropriated. This meant that construction activities could proceed in an orderly manner with the apportionments becoming a financial obligation of the United States Government.

During the 1930s a number of laws establishing features of the present Federal-aid highway program were enacted. The Revenue Act of 1932 established an excise tax of one cent per gallon on motor fuels. These taxes went into the general fund, rather than a trust fund such as that created in 1956 and which provides most Federal aid today. Evidence suggests, however, that a close relationship existed between levels of highway appropriations and fuel tax receipts. The Hayden-Cartwright Act of 1934 authorized up to 1.5 percent of each State's highway funds (with State matching provisions) for planning and research and development, thus initiating an important component of today's highway program.

The Interstate Highway System

The late 1930s saw the first steps taken that ultimately would lead to creation of the Interstate System. In the House of Representatives, Rep. Jennings Randolph (D-WV) proposed a "national superhighway" network of roads. He conducted hearings at which the plan was opposed by Administration spokesmen. Randolph persisted in his support of better roads, however, and some three decades later he became Chairman of the Senate Public Works Committee and oversaw a massive increase in highway development.

In 1938 the Congress ordered a study which proposed the construction of a 26,700-mile system of limited access, free highways. This survey provided the planning base for the authorization of a 40,000-mile highway network in 1944. It was designated the "Interstate" system in 1947.

The 1944 Act also provided increased funding and established separate authorizations for three categories of highways—the primary and secondary systems, and urban extensions of the primary system. These three categories would later become known as the ABC system. Little progress was made on construction of the Interstate System since it was to be funded with appropriations made for the construction of the primary system and its urban extensions; and the Federal-State matching ratio remained at the 50–50 level set in 1916.

The early work on the Interstate System was accomplished while the Federal-aid highway program was under the jurisdiction of the Senate Committee on Commerce. In the 1946 reorganization of Senate committees that program was assigned to the new Committee on Public Works. When it began its work in the following year, the newly reorganized committee's chairman, Sen. Chapman Revercomb (R-WV), named Sen. John Sherman Cooper (R-KY) chairman of the Subcommittee on Public Roads. Senator Dennis Chavez (D-NM) was the ranking minority member. Two years later Senator Chavez became chairman of the full committee when Democrats assumed majority party status in the Senate.

Federal-Aid Highway Act of 1965

By the mid-1950's the necessity of an expanded program of highway construction was painfully evident. The rapid post-war increase in automobile use, civil defense needs during the Cold War, and the war-time deferral of highway construction, created a critical need for an accelerated program. In addition, accident statistics indicated the desirability of upgraded, limited-access highways.

On July 12, 1954, at the National Governors Conference at Bolton Landing, New York, Vice President Nixon delivered a speech from President Eisenhower articulating the need for a greatly expanded highway program. In September of that year, the President appointed an interagency committee, the President's Advisory Committee on a National Highway Program, to consider the highway needs problem from the standpoint of Federal interest in roads and their financing. The committee was chaired by General Lucius D. Clay and became known as the Clay Committee. Its report was presented to the President in January, 1955, and formed the basis for Eisenhower's legislative proposal. The result was comprehensive highway legislation in 1956 and the creation of the Highway Trust Fund.

The Clay Committee estimated needed highway expenditures of $101 billion, including contributions from non-Federal sources. The committee proposed the creation of a Federal Highway Corporation which would issue bonds to finance the accelerated completion of the Interstate System. User-related tax receipts would retire the debt.

Toll financing was considered and rejected by the Clay Committee, which concluded that from 10 to 20 percent of the proposed Interstate mileage would not be economically feasible under such a method.

By 1955 the Democrats had resumed control of the Senate after two years of a Republican majority. Senator Dennis Chavez (D-NM) was again chairman of the committee, succeeding Senator Edward Martin (R-PA). Senator Albert Gore (D-TN) became chairman of the subcommittee on Public Roads and presided over development of the Federal-aid Highway Act of 1956 which made possible serious construction of Interstate highways for the first time in the dozen years since the system was authorized.

During 1955 the Senate and House Public Works committees held extensive hearings on the need for an expanded highway program and the proposals of the Clay Committee. While those in government at both the State and Federal levels appreciated the need for expanded and improved highways, there was controversy over the method of financing the system.

The Clay Committee proposal was criticized because the estimated $11.5 billion cost to finance the bonds was considered excessive. Some commentators felt the Federal Government would exert too much control over the proposed system, since the proposed matching ratio would be 90–10 and Federal approval would be required for location of Interstate routes. Some members of the Congress objected that the bond obligation would be reflected in neither the budget nor the national debt. In addition, the Clay Committee proposal did not provide for growth of other highway systems.

The Senate Committee on Public Works held 21 days of hearings on the highway program. It heard more than 100 witnesses, most of whom favored an expanded program. That year the committee reported S. 1048, a bill that continues to influence transportation in the United States. In proposing an acceleration of roadbuilding, the committee rejected the Clay Committee's bond financing plan. It declared that the framework of the existing Federal-aid program was sound and declined to advance any innovative funding mechanism.

The committee bill was passed by the Senate on May 25, 1955. It was almost a year before the House acted on its own highway legislation.

In the 1956 session, the House considered two complementary highway measures, one for the highway program and one devoted entirely to tax provisions. The two were then incorporated into a single bill, H.R. 10660, providing for a long-term (13-year) authorization of a National System of Interstate and Defense Highways. The program would be financed by a Highway Trust Fund drawing its revenues from increased taxes related to highway use and some existing revenues.

This bill established the precedent for the highway program of combining both programmatic and revenue components in a single measure. This practice, requiring consideration by separate congressional committees, has continued to the present. In the 1980s it has expanded so that highway authorizations generally are part of a comprehensive surface transportation bill that includes urban mass transit and highway safety. While the subject matter of these new "omnibus" transportation bills is within the jurisdiction of two committees in the House of Representatives, it requires the consideration of four separate committees in the Senate.

In the Senate, the authorization portion of the 1956 House bill (title I) was assigned to the Committee on Public Works and the financing provisions (title II) to the Committee on Finance. The Public Works Committee agreed to a long-term authorization of the highway program but otherwise insisted on the basic provisions of its own bill (S. 1048). The Finance Committee agreed to establishment of the Highway Trust Fund but included a provision by its chairman, Senator Harry F. Byrd (D-VA), requiring that in each fiscal year the Trust Fund contain adequate funds to meet expenditures. This requirement, known as the "Byrd Amendment," continues to be a factor in the authorization and operation of the highway program.

The Senate committee precipitated a major debate in the Senate by including in its 1955 bill (S. 1048) a provision making all Federal-aid highway projects subject to the Davis-Bacon Act. This depression-era (1931) statute requires that workers on federally assisted construction projects be paid the prevailing wage rate of the area in which they are located. After heated debate, it was stricken from the bill in the Senate.

When the House highway bill arrived in the Senate in 1956, it included a Davis-Bacon provision. It was deleted by the Senate Public Works Committee, presumably in the belief that the Senate had already spoken on the subject. But when the full Senate considered H.R. 10660, Davis-Bacon was restored to the bill after a round of parliamentary maneuvering by Committee Chairman Chavez and Senator William F. Knowland (R-CA). The provisions of the Davis-Bacon Act remain a part of the Federal-aid program even though attempts are occasionally made to eliminate or modify its requirements.

The Senate bill was debated and passed on May 29, 1956. In conference, the House accepted the Byrd amendment, agreeing to a "pay-as-you-build" pattern of highway expenditures. Compromise was reached regarding the apportionment of Interstate funds. For the first three fiscal years after passage of the 1956 Act, the apportionments would be made based on existing formula, preferred by the Senate, which was determined by a State's population, area, and mileage. Then the formula would change to that recommended by the House, which was based on the cost of completing the system. In general, the other provisions of the House bill were accepted. The conference report was agreed to by both Houses on June 26, and the measure was signed by President Eisenhower three days later (P.L. 84–627).

The Federal-Aid Highway Act of 1956 increased the mileage of the designated Interstate System to 41,000 miles and authorized its completion in 13 years. The Federal share of the matching ratio was increased from 50 to 90 percent. Title II of the Act, termed the Highway Revenue Act of 1956, created the Highway Trust Fund.

Broadening the Highway Program

With construction of the Interstate system finally underway, the committee entered a period during which the total highway program was expanded and new considerations were inserted into the realm of roadbuilding. For several years, legislative activity saw the creation of new highway categories, action to improve the safety and beauty of roads, development of environmental requirements, use of the highway program as an economic stimulus and increasing involvement of highways in public transportation.

In 1958 the United States was in the throes of an extended economic recession. The Congress that year provided (P.L. 85–381) an additional authorization of $400 million for fiscal year 1959 to accelerate non-Interstate highway construction and stimulate recovery. The Federal share for projects using these funds was set at 66⅔ percent rather than the usual 50 percent. In addition, $115 million was authorized to meet up to two-thirds of the State's match for these funds. These advances would be paid back by deductions from apportionments for fiscal years 1961 and 1962. The "Byrd Amendment" was suspended for two years.

Soon the Highway Trust Fund faced potential shortages due to the expanded program authorized in 1958 and the suspension of the Byrd Amendment. The Federal-Aid Highway Act of 1959 (P.L. 86–342) increased the motor fuel tax from 3 to 4 cents a gallon for about 18 months, beginning October 1, 1959. The Act also required that half of the 10 percent excise tax on automobiles be credited to the Highway Trust Fund.

In 1961, the temporary increase in the motor fuel tax was extended to 1972, the then-expected year of completion of the Interstate. Other highway user taxes also were increased that year (P.L. 87–61).

The Federal-Aid Highway Act of 1962 (P.L. 87–866) directed States to develop long-range highway plans in urbanized areas. These plans were to be coordinated with other modes of transportation. It was required that all federally funded highway projects in urbanized areas be based on a continuing, comprehensive, and coordinated planning process—the "3–C" process—involving State and local officials. The 1962 Act made a previously optional 1½ percent set-aide for highway planning and research mandatory and also provided an additional, optional ½ percent allocation for planning and research by the States.

The 1962 Act required that relocation advisory assistance be provided to persons, businesses, and nonprofit organizations displaced by highway projects and permitted the Federal Highway Administration to participate in relocation payments made by the States.

At the opening of the 88th Congress in 1963, the committee had a new chairman, Senator Pat McNamara (D-MI), and a new chairman of the Subcommittee on Public Roads, Senator Jennings Randolph (D-WV). Highway legislation enacted during 1963 and 1964 essentially continued the ongoing program with little change in basic policy.

Highway Beautification

In 1958 the Congress initiated two programs designed to enhance the appearance of highways and the land around them. The first provided bonuses for States that limited billboards along Interstate highways. The second authorized funds to buy land adjacent to highways to preserve scenic qualities. Neither effort was a success; few bonuses were paid for billboard restrictions and no States took advantage of the land purchase funds for several years.

This set the stage for a more comprehensive attempt to improve the appearance of highways and their surroundings.

In 1965, with the encouragement of Mrs. Lyndon B. Johnson, the First Lady, the Highway Beautification Act of 1965 (P.L. 89–285) was enacted.

To achieve its goals, the Act authorized outdoor advertising control, junkyard control, and scenic enhancement. Attention became focused on that portion of the program dealing with the removal and regulation of billboards. It spawned a debate that has continued for nearly a quarter-century and has brought Federal efforts to regulate outdoor advertising to a virtual standstill.

As the program was conceived, certain types of signs adjacent to primary and Interstate highways were to be removed, and States were required to adopt legislation to control new signs. Similarly, certain types of junkyards along primary and Interstate routes were to be removed or screened, and States were to adopt legislation to control junkyards. Alternative financing from general funds without State matching funds was established for the previously authorized scenic enhancement and roadside development programs.

The beautification program spawned widespread disagreement even before it was enacted. Highway construction interests opposed proposals that they felt would divert funds away from roadbuilding. Segments of the outdoor advertising industry itself found themselves on different sides of the issues. Environmentalists proclaimed some proposals too weak.

Several basic features of the proposed program were adopted by the Committee on Public Works. The committee agreed that billboards should be controlled within 660 feet (one-eighth of a mile) of Interstate and primary highways and provided for the withholding of Federal highway funds for States that did not comply with the law. Two issues that became the focus of debate for years were whether cash compensation should be required to be paid for removal of billboards and whether localities could use State police powers to eliminate signs.

When the full Senate debated the bill (S. 2084), several changes proposed by the Johnson Administration were adopted. The first reduced the penalty from 100 percent to 10 percent to noncomplying States. Another set the Federal share for compensation payments at 75 percent, and the third softened the limits on billboards by permitting them to be located in industrial or commercial areas.

Several changes were made in the bill when it was debated in the House of Representatives. Discretion was provided in the withholding of funds to noncomplying States. And in an important decision, States were given the authority to zone areas for commercial or industrial purposes with respect to outdoor advertising, thus removing local control from this aspect of the program.

The House passed its version of the bill, the Senate agreed to the changes on October 13, 1965, and President Johnson signed it into law eight days later.

After five years of operation, the Congress decided that confusion and controversy surrounding the outdoor advertising controls warranted examination. Consequently, the Federal-aid Highway Act of 1970 (P.L. 91–605) established the Highway Beautification Commission to study the beautification program. The Commission was composed of four members from each body of the Congress and three public members appointed by the President. Rep. Jim Wright (D–TX) (elected Speaker of the House in the 100th Congress) served as chairman. Representing the Senate were Chairman Randolph, Senator Robert T. Stafford (R–VT), Senator Mike Gravel (D–AK), and Senator James L. Buckley (R/Cons.-NY).

The Commission submitted its final report in December 1973. It assessed progress of the beautification program and made a number of recommendations. Among the important findings was that outdoor advertisers were circumventing the 660-foot controlled area by erecting large signs just beyond the limit. The Commission reported that States often were being required to pay compensation when no Federal share was provided. It recommended that Federal funds be made available whenever compensation was required. The Congress and Department of Transportation were urged to resolve the government's position regarding the rights of states to zone commercial and industrial zones along affected highways. And flexibility was recommended in imposing penalties so that the amount reflected the severity of noncompliance.

Legislation in 1974 (P.L. 96–643) repealed the 660-foot limit and substituted a prohibition on advertising signs that could be read from Interstate and primary highways regardless of the distance. It also authorized States to impose their own, more stringent, controls.

Until 1978 States were required to pay cash compensation for billboards removed from the Interstate and primary systems pursuant to the Highway Beautification Act. They could, however, continue to remove billboards through the use of their police powers and provide amortization of their costs. In 1978 the Congress adopted an amendment that required States to pay cash compensation for all billboards removed from the Interstate and primary systems or be subject to the loss of highway funds.

The outdoor advertising control program continued without resolving the basic questions that troubled it almost from the beginning. Appropriations for compensation were small or non-existent, and the debate continued. Efforts continued in the House of Representatives to expand the requirements of cash compensation. On the other side, efforts were led by Senator Stafford, Senator Lloyd Bentsen (D–TX) and Senator Slade Gorton (R–WA) to return control to the States and localities by restoring the option of amortization as well as cash compensation. However, no major changes have been made to the highway beautification program since 1978.

Change and Expansion

In 1966 Senator Randolph became chairman of the full committee and retained the chairmanship of the Public Roads Subcommittee.

The Federal-Aid Highway Act of that year (P.L. 89–574) extended the Interstate completion date to June 30, 1972. (It has subsequently been extended several times.) The act required that the standards for the Interstate system be modified to provide for at least four lanes.

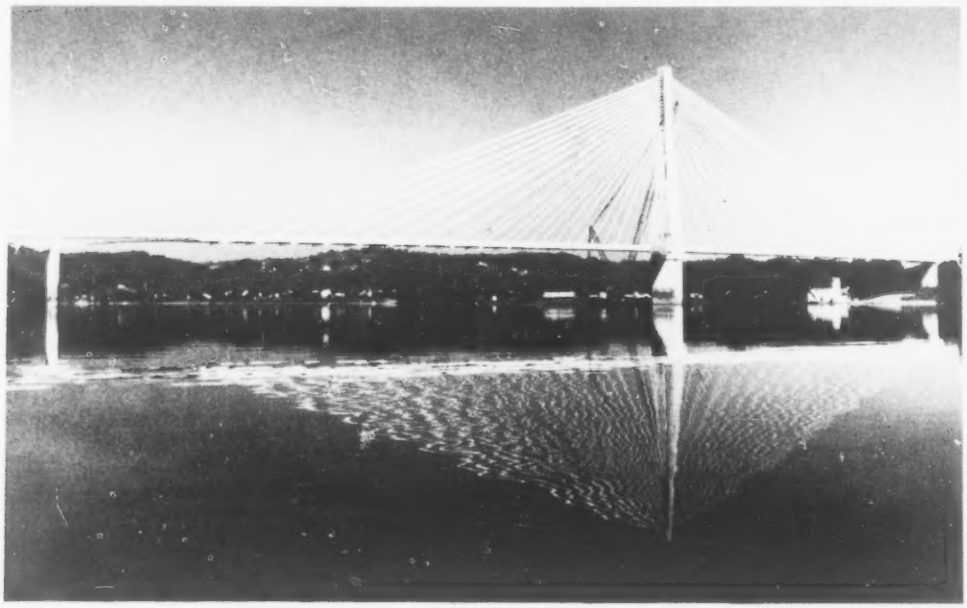
The 1966 highway act also marked one of the first occasions when the committee applied its growing concern with the environment to a federally supported construction program. That act prohibited approval after July 1968, of any highway project using park, historic sites or certain other public lands unless there was no feasible alternative. The project also was required to include planning to minimize harm to the park or site from the highway use.

With highway construction at a high level throughout the country, there were certain to be conflicts as roadbuilders learned to accommodate their work to this and other environmentally-oriented requirements. The committee, in fact, was called on to address some of these conflicts. One of the most notable of these involved the desire of the State of Tennessee to build an Interstate highway (I–40) through a park in the city of Memphis. In 1969, Transportation Secretary John Volpe approved plans for the highway, but local opponents of the project challenged this decision in the courts. Two years later, the United States Supreme Court ruled, on a technicality, against Secretary Volpe.

After further review of the project plans, Secretary Volpe in 1972 issued another decision, this time rejecting the Tennessee application. The State then developed and submitted proposals to mitigate the highway's impact on the park. They were reviewed by the new Secretary of Transportation, Brock Adams (elected a Democratic Senator from Washington in 1986), and rejected.

At this point, Senator Howard H. Baker, Jr. (R–TN), a senior member of the committee, asked the Department of Transportation for information on the decision. He was told that the construction plans could be acceptably modified along specified lines. The State of Tennessee, however, felt the cost was excessive. Consequently, Senator Baker asked the committee to approve an exemption to the parkland law for the Memphis project. After extensive debate, the committee declined to grant the exemption and the highway was not built through the park.

A similar situation arose in San Antonio, Texas, where highway construction was proposed through a park. In that case, the Federal requirement was avoided by allowing the State to reimburse the Federal Government for its expenditures to date and using its own funds to build the road.



Bridge repair and construction were given impetus by the Committee in the 1970s. This modern structure greatly improves the flow of traffic across the Ohio River at Huntington, WV (Federal Highway Administration)

The Highway Safety Act of 1966 (P.L. 89–564) was a response by the committee to its belief that the growing number of highway accidents needed to be reduced. The new legislation established a Federal structure to work toward that goal and provided Federal funds to State programs to be carried out under national standards.

The Federal-Aid Highway Act of 1968 (P.L. 90–495) again recognized the magnitude of the Interstate highway construction program by increasing authorizations and extending the time for completion of the system. In developing this bill, the committee also undertook several new initiatives. At the encouragement of Chairman Randolph, the Act directed an inspection and inventory of highway bridges. The collapse of a bridge into the Ohio River at Point Pleasant, West Virginia, resulted in the deaths of 46 people and had focused the Committee's attention on the condition of highway bridges.

Concern with urban traffic congestion that year also prompted the committee to develop authority for Federal highway funds to be used to build fringe parking lots. This was one of the early recognitions of the relationship between highways and mass transit that would be expanded in later legislation. The 1968 Act also established a mandatory relocation payment program for people required to relocate because of Federal-aid highway construction.

The Federal-Aid Highway Act of 1970 (P.L. 91–605) saw the committee develop provisions expanding the involvement of the highway program in urban transportation. The Urban System was created to assist in roadway improvements in cities. This Act also permitted the use of Federal funds to construct exclusive bus lanes and provide equipment to assist highway oriented public transit.

The results of the 1968 bridge studies were used as the basis for creating the Special Bridge Replacement Program with an initial authorization of $100 million. The act increased the Federal share for projects on the primary and secondary systems from 50 to 70 percent, established the National Highway Institute and authorized an optional set-aside of not to exceed one-half of one percent of a State's primary, urban, and secondary apportionments for education and training.

At about this time, several States moved rapidly in building their portions of the Interstate System. These were generally States without large urban areas and controversial roadbuilding projects. Some States also utilized their own funds to accelerate Interstate construction.

The cost-of-completion formula for allocating Interstate funds began to produce increasingly smaller allocations for the fact-moving States. They were concerned that the annual amounts, in fact, were so little that they could not maintain a viable program. One such State was North Dakota, one of the first to complete its portion of the Interstate system. It joined with others in supporting a minimum annual allocation of Interstate construction funds. This position was strongly and successfully advocated by Senator Quentin N. Burdick (D-ND), who, in 1987, became chairman of the committee. Because of the financing problem faced by North Dakota and a few other States, the 1970 Act required that no State receive an annual Interstate construction apportionment of less than one-half percent of the total.

The Interstate Highway System, created by legislation from the Committee on Public Works, provided a national network of superhighways. Here, two of them intersect near San Jose, CA. (Federal Highway Administration)

The Trust Fund and Transit

In 1972 a number of forces that had been building for several years came together to precipitate one of the most contentious debates and substantial policy changes in the history of the Federal-aid highway program. It saw strong positions taken on both sides by committee members, the two houses of Congress, the Administration, States and segments of the business community.

The issue was the use of Highway Trust Fund revenues for mass transit, and the debate was so intense that the Congress was unable to enact highway legislation in 1972. The result was a virtual halt in non-Interstate roadbuilding until compromise was reached in the following year.

The early 1970s had seen a renewal of interest in public transportation as urban traffic congestion became more severe. This interest, together with a revival in long-distance rail travel, was at least partially stimulated by fuel shortages brought about by the Arab oil embargo that drastically reduced gasoline supplies in the United States.

Federal support for urban mass transit was relatively modest, however, and was provided by annual appropriations that could vary from year to year. Transit supporters thus looked in the direction of the Trust Fund with its earmarked and reliable resources.

Environmentalists took the position that reliance on automobiles must be reduced in cities in order to lower air pollution levels and that expanded mass transit could help achieve that objective. The highway program was seen as having contributed to urban pollution problems by encouraging increased motor vehicle use.

The jurisdiction and past legislative activities of the Committee on Public Works made it the logical place for the battle to be fought. The committee had already modified the highwway program in response to community and public concerns. And it had only recently developed a major program to reduce air pollution.

The normal cycle for highway authorizations required legislation in 1972 and the committee was preparing to act, knowing the transit issue would have to be faced. The debate was launched on May 9 when Senator Cooper, by then the ranking minority member of the full committee, introduced S. 3590 proposing the use of Trust Fund money to construct mass transit systems.

The Roads Subcommittee, under the chairmanship of Senator Birch Bayh (D-IN), held extensive hearings during May and June of 1972. Secretary of Transportation John A. Volpe proposed a single fund for capital investments in surface transportation in urban areas. Representatives of the construction industry and state highway officials, as well as the National League of Cities and U.S. Conference of Mayors opposed using the Trust Fund for transit. The National Governors Association supported the proposal.

Throughout the history of the Trust Fund, the highway community has taken the position that the fund was financed by highway users and its resources should be for their benefit only. This philosophy has been the basis of opposition to any diversion of Trust Fund monies to other uses.

During the committee's development of highway legislation later that summer, five rollcall votes were taken on proposals regarding the use of the Highway Trust Fund for public transportation. On August 9 Senator Edmund Muskie (D-ME) proposed that all urban Interstate highway funds be available for public transportation when mass transit systems were required to implement air quality standards in cities. Senator Cooper countered with a proposal to allow the use of all urban highway funds for public transportation, including railroads and subways. Senator Cooper's amendment was adopted by a vote of 8–7.

The following day Senator Robert T. Stafford (R-VT), who had voted for Cooper's amendment, moved to reconsider the vote. A motion by Senator John V. Tunney (D-CA) to table Senator Stafford's motion failed 7–8; Senator Cooper's amendment was then defeated by a vote of 7–8.

The bill (S. 3939) reported by the committee nevertheless built upon its earlier concern for urban transportation and authorized the use of some Trust Fund money for transit purposes, but only those that were highway oriented. For fiscal 1974 and 1975, the bill required that at least $600 million of the $1.6 billion authorized for the urban system be spent for urban bus transportation. It also required that $100 million of the $10 billion rural secondary authorization be used for rural bus transportation, a plan endorsed by Chairman Randolph and

Senator Stafford who represented two of the nation's most rural states. In a further extension of its environmental concerns, the committee adopted a provision prohibiting the construction of any highway unless it met standards of the Clean Air Act.

The bill extended the completion date of the Interstate from 1972 until 1980, declared highway safety to be the highest priority of the Federal-Aid Highway System, and established a new, Federal-aid small urban system for localities with populations of between 5,000 and 50,000.

In this legislation the committee recognized that protracted controversy over some proposed Interstate segments was delaying completion of the system and dramatically increasing costs. To help bring about a resolution of this problem, provisions were included allowing the Secretary of Transportation to withdraw controversial segments from the system if such action would not leave a gap in the system. The funds allocated to the withdrawn segment then could be authorized for other roadbuilding in the State concerned.

The bill then was referred to the Senate Banking, Housing, and Urban Affairs Committee which recommended, in a nonbinding action, that the funds authorized by the Public Works Committee for road construction or bus purchases in urban areas also be available for rail transit facilities and equipment. This policy already had been rejected by the Public Works Committee.

Senators Muskie and Cooper proposed an amendment during Senate consideration of S. 3939 which was adopted by a 48–26 vote allowing States to use up to $800 million annually for road construction, bus purchases, fringe parking facilities, or rail transit.

Chairman Randolph and Senator Bayh (who by then had transferred to the Appropriations Committee) voted against the amendment. Chairman Randolph said that although he opposed the amendment, he would accept a decision of the House Ways and Means and Senate Finance committees regarding the financing of mass transit projects from the Trust Fund.

On September 19, 1972, the Senate passed S. 3939. It provided that the $800 million for development of urban transportation systems for each of fiscal years 1974 and 1975 could be used for mass transit, including rail systems. As passed by the Senate, the bill authorized the new small urban system that had been recommended by the Public Works Committee. The bill also contained the Banking Committee's authorization of $800 million in grants and loans to defray public transportation operating expenses during fiscal years 1974 and 1975, a provision which was strongly opposed by the Administration.

In the House of Representatives, proposals to use Highway Trust Fund money for mass transit were vigorously opposed by both House Public Works Committee Chairman John A. Blatnik (D–MN) and Roads Subcommittee Chairman John C. Kluczynski (D–IL). Two amendments to permit transit use of highway funds were introduced by Rep. Glenn M. Anderson (D–CA)—who became committee chairman in 1988—but were ruled nongermane to the highway bill and thus

never were voted on by the House. The bill passed by the House did allow Federal-aid funds to be used for public transportation projects such as exclusive bus lanes and passenger loading areas; however, no rail or bus purchases could be made with Federal-aid highway funds.

The House-Senate conference on the highway measure became hopelessly deadlocked until late in the session with a November election fast approaching. With construction authority held up by the impasse, Senator Cooper finally agreed to drop the mass transit proposal if monetary authorizations for the highway program were limited to only one year. Cooper's action made a limited conference agreement possible but forced attention to highway legislation in the next year.

The compromise bill, which was opposed by the Nixon Administration, was passed by the Senate. It was rushed to the House chamber. The absence of a quorum was suggested and the House was forced to adjourn without acting. The bill died, and much of the highway program stopped for a time because funds could not be apportioned to the States.

In 1973 the issue arose again, this time with two new occupants of key positions. Claude S. Brinegar has been named Secretary of Transportation, and Senator Lloyd Bentsen (D–TX) became chairman of the committee's Subcommittee on Transportation, which had changed its name from the Subcommittee on Roads at the beginning of the year. During Subcommittee hearings, Secretary Brinegar restated the Administration's support for using trust funds for mass transit.

Massachusetts Governor Francis Sargent expressed the support of the Nation's Governors for funding mass transit projects with highway trust funds. He told the committee that a majority of the Governors favored increased flexibility in the use of trust fund revenues.

The course of highway legislation in 1973 largely followed that of 1972. During the Senate committee's consideration, Senator Muskie proposed opening the Trust Fund to mass transit projects, including railways; again, his proposal was rejected. Senator Muskie, this time joined by Senator Baker, succeeded during Senate consideraion of the bill.

Mass transit funding proposals again failed in the House where the Public Works Committee rejected Representative Anderson's proposal. Due to a change in the membership of the Rules Committee, Representative Anderson's mass transit amendment was allowed to be voted on by the full House. The proposal failed by a vote of 190–215.

House-Senate conferees were stymied on the issue of mass transit for two and one-half months. Finally, on July 27 they approved a three-year reauthorization of the highway program that would gradually allow trust funds to be used for mass transit purposes. In fiscal 1974 all urban system authorizations were to be used for highways; $200 million of the $800 million authorized for fiscal 1975 could be used to buy passenger buses; urban areas could use any part of their highway fund allocations for mass transit, including rail systems, in 1976.

The bill approved by the conference committee contained other transit provisions. Budget authority for the Urban Mass Transportation Administration was increased, and the Federal share of the cost-sharing formula for mass transit projects was increased.

In addition, the conference committee deleted the Senate provision prohibiting approval of new highway programs that did not meet Clean Air Act standards. Although each house had authorized $50 million per fiscal year for billboard control, the conference committee provided no funding for the program.

The conference agreement was passed by the Senate on August 1; by the House, August 3. President Nixon signed the measure into law (P.L. 93–87) on August 13, 1973.

Subsequent Legislation

The Federal-Aid Highway Amendments of 1974 (P.L. 93–643) made permanent the national maximum speed limit of 55 miles per hour that had been temporarily established by the Emergency Highway Energy Conservation Act of 1974 (P.L. 93–239). Motivated by national energy shortages and a desire to reduce traffic accidents, the committee decided on a permanent reduction in the maximum speed limit. Under this provision, the Secretary of Transportation could not approve Federal-aid highway projects in any State with a maximum speed limit greater than 55 miles per hour. Several changes were made with respect to compliance over the years. This provision was modified in 1987 to allow for a maximum speed limit of 65 miles per hour on rural Interstates.

The Federal-Aid Highway Act of 1976 (P.L. 94–280) made several significant changes in the highway program. The committee acknowledged that after 20 years of building the Interstate system, some of the early segments were showing the effects of age and use. Consequently, the 1976 Act authorized the use of Federal funds for resurfacing, restoring and rehabilitation of Interstate segments and of some other types of highways. It was felt that the States lacked the financial resources to maintain the high traffic volume Interstate system while continuing with construction. This action marked a major departure from the long-held reluctance to use Federal funds for other than basic construction. The issue was sensitive enough, though, that the Senate-House conference on the bill emphasized that Federal funds still were unavailable for routine maintenance.

The Congress in 1976 also agreed to some consolidation in the categorical programs that had expanded in recent years. It rejected, however, the proposals of the Ford Administration which would have reduced the Federal-aid highway program substantially and reduced the revenues of the Trust Fund. The intent of the Administration was to shift much of the responsibility, along with the revenue potential, to the States.

The Act also revised the Interstate withdrawal provisions to allow the construction of substitute highway projects as well as substitute mass transportation projects.

The merger of legislation for both highways and mass transit into a single authorization bill was formalized in 1978 when that year's bill was entitled the Surface Transportation Assistance Act (P.L. 95–599).

The Act expanded the special bridge replacement program created in the 1970 Act to provide for rehabilitation as well and required that a portion of the funds be used on highways other than the Federal-Aid system. The Federal share for this program was increased from 75 to 80 percent. Twenty percent of primary and secondary program apportionments was required to be used for resurfacing, restoring, and rehabilitating projects.

The 1978 Act established September 30, 1983, as the cut-off date for withdrawal of Interstate segments and approval of substitute projects. It mandated a study to determine the equitable allocation of highway costs among the classes of persons and vehicles using Federal-aid highways. States were required, under the provisions of this measure, to certify that the 55 mile-per-hour speed limit and truck size and weight limitations were being enforced.

In 1981 Republicans assumed control of the Senate and of the committee for the first time in a quarter-century. Senator Stafford, who had long been involved in highway legislation, became committee chairman. Senator Steve Symms (R-ID) assumed the chairmanship of the Subcommittee on Transportation.

The Federal-Aid Highway Act of 1981 (P.L. 97–134) expanded the Interstate 3R program to include "reconstructing" in "resurfacing, restoring, and rehabilitating"—thus making it the 4R program. Federal funds would provide 90 percent of the cost.

The 1981 act also redefined what kind of projects would be eligible for Interstate construction funds. For the first time, certain types of work were moved from Interstate construction eligibility to Interstate 4R. The effect of this was to make the completion of the Interstate system an achieveable goal by the early 1990s.

Highway legislation in 1982 produced major changes with long-range impacts on the Federal-aid program. The most important of these was the increase in the fuel tax from four to nine cents per gallon, the first significant increase since 1959.

The proposal to increase Trust Fund taxes, however, triggered a Senate filibuster that threatened enactment of any legislation that year. Initially, the Reagan Administration was opposed to the tax increase. But as the project of no action increased and construction unemployment rose, the Administration signaled that it would agree to additional transportation taxes in the hope of creating and maintaining jobs. Several members continued the filibuster and final action was not achieved until two days before Christmas, 1982. It was not until early January, 1983, that the President signed the measure and the Surface Transportation Assistance Act of 1982 (P.L. 97–424) became law.

In addition to raising fuel taxes, truck taxes also were increased, but in the Deficit Reduction Act of 1984, the method of collecting the truck taxes was subsequently

changed and the diesel fuel tax raised to 15 cents per gallon. The tax modifications included in the 1982 Act were based on the recommendations of the cost allocation study mandated by the 1978 Act. One-ninth of the use fee revenue was earmarked for mass transit projects, and a mass transit account was established within the Highway Trust Fund for this purpose. The additional revenues provided by the increases in highway user taxes permitted an increase in total authorizations for the highway program of approximately 50 percent.

The 1982 Act also addressed an issue that had surfaced from time to time for several years. As the costly Interstate system neared completion, construction funds were being concentrated in fewer and fewer states. States where Interstate work was completed, or nearly so, saw their share of Federal aid steadily decline. They increasingly expressed concern that they were contributing a disproportionate share of the trust fund revenues.

Senator Bentsen, whose State was one of those most affected and was a major revenue contributor to the Trust Fund, proposed in the committee that no State receive less than 85 percent of its payments into the Trust Fund. He argued that, in addition to providing equity, such policy would permit States to continue building and rehabilitating all Federal-aid highways. Similar action was proposed in the House, and the final bill included the 85-percent minimum return to the States.

The Act also raised the truck size and weight limits and required States to permit the larger vehicles on the Interstate and designated primary highways. Changes were also made to statutory provisions, regarding Interstate substitute projects.

Efforts to enact highway legislation in 1986 ended in deadlock when Senate and House conferees were unable to reach agreement before the congressional session ended. One of the major stumbling blocks that year was the large number of "demonstration projects" placed in the House bill to authorize specific projects outside the normal Federal-aid process.

The Senate favored an approach that would permit projects to be listed as priorities but without additional funding. House members sought to earmark funds for individual projects. The two viewpoints proved to be irreconcilable.

One consequence of failure to enact a bill was another virtual cessation of road-building in the absence of authorizations for fiscal year 1987. As a result, one of the first actions of the committee in January, 1987, was to report highway legislation.

Securing authorizations at the earliest possible date was a priority matter for the committee's new chairman, Senator Quentin Burdick (D–ND), and the new chairman of the Subcommittee on Water Resources, Transportation, and Infrastructure, Senator Daniel Patrick Moynihan (D–NY). Both the Senate and House passed bills by early February and the conference was completed on March 10. President Reagan, however, vetoed the bill, citing a variety of features that made it unacceptable to the administration. The House overrode the veto by a substantial margin, 350–73.

The Senate, voting on the veto, provided some of the most dramatic events of the 100th Congress. On the first attempt to override, the veto was sustained by a single vote when one new member, Senator Terry Sanford (D–NC), unexpectedly sided with the President. Anticipating that Senator Sanford might be persuaded to join all other members of his party in a second vote, President Reagan made an unusual trip to the Capitol. He met with Republican Senators to encourage more support of this veto. On the second vote, Senator Sanford did indeed change his position, but there were no others and the veto was overriden by a vote of 67–33. The Surface Transportation and Uniform Relocation Assistance Act of 1987 (P.L. 100–17) became law on April 2, just in time for the start of the 1987 construction season.

In addition to releasing funds for highway construction, the new Act provided a mechanism to avoid future halting of the highway program because of congressional failure to authorize funds. It allows the Secretary of Transportation to apportion Interstate funds on the basis of an administratively adjusted Interstate Cost Estimate (ICE), if Congress does not approve the ICE in a timely manner.

The new act resolved another troublesome issue by allowing States to increase some maximum speed limits above 55 miles per hour for the first time since 1973. This authority had been sought mainly by western and more sparsely populated States. Proponents of the change argued that the lower speed limit was impractical in their areas and questioned its value in accident prevention and fuel economy. Sponsored by Senator Steve Symms (R–ID) and supported by Chairman Burdick, the provision, as enacted, permitted higher speed limits on rural Interstate highways. Forty States have utilized this authority to increase speed limits above 55 miles per hour on eligible roads.

The 1987 statute increased the flexibility of States to transfer Interstate construction funds to the I–4R and primary programs and also increased State flexibility to transfer I–4R funds to the primary program. This act increased the States' flexibility by permitting them to contribute amounts in excess of the normal State share on all Federal-aid projects; by allowing the fair market value of private right-of-way donations to be credited to a State's matching share for a project; and by permitting Federal-aid funds to be used in conjunction with tolls in seven pilot projects for new non-Interstate toll roads or for an expanded capacity on existing non-Interstate highways.

At the encouragement of Senator Bentsen, who served as the full committee's ranking minority member during the 99th Congress (1985–86), provisions were included to apply the minimum State allocation to discretionary funds a well as apportioned funds as provided in 1982. Also under Senator Bentsen's sponsorship was a requirement specifying a minimum amount of money States must spend on planting wildflowers along highways. This provision was aimed at both beautifying highways and reducing maintenance costs.

Members from States with completed Interstate programs, again under the leadership of Chairman Burdick and Senator Stafford, who had worked to preserve the one-half percent Interstate construction minimum during his tenure as

committee chairman, successfully resisted attempts to change the one-half percent minimum Interstate construction allocation.

Two important studies with long range implications were authorized by the 1987 act. One, the Strategic Highway Research Program, is a five-year effort to examine highway construction materials and techniques. The other, to be performed by the Transportation Research Board of the National Academy of Sciences, will review the effects of truck weights and truck access on the highway program.

The act encourages the restoration of historic bridges by authorizing the use of Federal funds for that purpose and establishing a mechanism for setting rehabilitation standards. This provision was proposed by Senator Stafford and reflects his long-standing interest in historic preservation.

As the committee approached the end of the 100th Congress, it looked forward to completion of the Interstate highway system and moved toward the continued reshaping of the Federal-aid highway program for the 21st Century.

ECONOMIC DEVELOPMENT

In the early 1960s, the committee began to examine ways in which the public works activities over which it had jurisdiction could be utilized to stimulate recovery in sections of the country suffering from economic distress. The result was a set of programs that today provide assistance for the construction of public facilities as well as the planning and coordination intended to assure that public investments improve local economies.

The first steps in that direction were taken in 1961 when the Senate Banking Committee developed the Area Redevelopment Act to assist depressed communities. The following year the Committee on Public Works produced the $900 million Public Works Acceleration Act (P.L. 87–658). This measure was aimed primarily at stimulating employment by speeding the construction of previously authorized Federal projects and by assisting communities in carrying out their own building projects. It was a standby program that the President could implement in areas where he found high unemployment levels.

A staff report published in late 1963 discussed the benefit and continuing need for the programs of the Public Works Acceleration Act. The committee viewed this program to be a successful "shot in the arm" for depressed areas. To continue the effort, it reported a proposal (S. 1856) in 1964 to continue the program and raise the funding level to $2.4 billion. The measure, however, was not considered by the Senate.

These early efforts were intended to be temporary to address immediate problems. By the end of 1965 they had been replaced by two comprehensive programs designed to find long-range solutions to depressed communities: the Appalachian Regional Development Act of 1965 (P.L. 89–4) and the Public Works and Economic Development Act of 1965 (P.L. 89–136).

The movement toward permanent economic development programs received substantial stimulus from President John F. Kennedy. During his campaign for the presidency in 1962, particularly before the West Virginia primary election, he had been forcibly struck by the poverty of the mountainous Appalachian region.

Shortly after his election, Kennedy appointed a task force headed by Senator Paul Douglas (D–IL) to provide him with area redevelopment recommendations prior to the 1961 inauguration. Like Kennedy, Douglas had been shocked by the conditions in some communities that kept them from participating in the national prosperity. In this instance, the experience was in southern Illinois. The task force report was presented on January 1, 1961, and included recommendations for Appalachia. The first major legislation growing out of this work was the Area Redevelopment Act, initiated by Senator Douglas.

Appalachian Regional Development Act of 1965

The President thus was a willing listener in April 1963, when the nine-state Conference of Appalachian Governors came to him with a plea for help. This crucial meeting was called after a series of disastrous floods in the region once again focused attention on Appalachia.

The conference had been formed three years earlier to search for a way to bring Appalachia into the American mainstream from which it has been historically isolated by its rugged geography and erratic economy. In the 20th Century, the isolation translated into a significant gap between the fortunes of Appalachia and the nation at large.

The region's long downslide, aggravated by the decline of its economic mainstays—coal, basic manufacturing and agriculture—had reached what the Governors felt was crisis proportions by the 1950s. The boom of World War II and for a few years thereafter suddenly disappeared, as good times had in the past. The bleakness of Appalachia was summarized in a few statistics:

—One in three families lived below the poverty level;

—Unemployment was 40 percent higher than the national average;

—The population of the region declined by two million during the 1950s.

Responding to the Governors, President Kennedy formed the President's Appalachian Regional Commission, composed of 11 Governors and several Federal agencies, to prepare an action plan. Kennedy died before the commission's report was completed, but five months after this death, the report was submitted to President Lyndon Johnson. The Commission's recommended program of coordinated Federal, State and local investment in the region was translated into a legislative proposal by the President and submitted to the Congress.

The principal Senate sponsors of the proposal (S. 2782) were Senator Jennings Randolph (D–WV) and Senator John Sherman Cooper (R–KY), senior members of the committee who represented two of the States most affected by the legislation. Under their guidance it was reported by the Committee on Public Works and was passed by the Senate in September 1964. The House Public Works

Committee, where strong support was provided by Rep. Robert Jones (D–AL), approved a similar bill, but it did not gain House passage before adjournment of the 88th Congress.

The Appalachian bill became a priority matter early in the 89th Congress (1965–66) where, as S. 3, it passed the Senate on February 1, 1965, by a vote of 62–22. Action was similarly fast in the House, and President Johnson approved the new law (P.L. 89–4) on March 9. In signing the bill, Johnson called it the "truest example of creative Federalism in our time."

The Committee on Public Works intended the Appalachian Regional Commission (ARC) to be a unique organization allowing an equal partnership between the Federal Government and the States. Its membership consists of a Federal cochairman appointed by the President and the Governors of the member States, one of whom acts as State cochairman on a rotating basis. At the sub-State level, a system of multi-county local development districts was established throughout the region to plan and coordinate public investments.

As originally designated, the Appalachian region included the entire State of West Virginia and parts of Alabama, Georgia, Kentucky, Maryland, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, and Virginia. Several additional counties in these States plus some in Mississippi were added to the region in 1967. This extended coverage of the Appalachian program to 397 counties in 13 States, an area of more than 167,000 square miles containing 20 million people.

The 1965 Act authorized an appropriation of $1.1 billion in Federal funds to be used with State funds to provide a broad-based economic development program for the region. The Appalachian Regional Commission conducts activities in two broad areas: a highway program and an area development program. The highway program includes the Developmental Highway System and a supporting system of access roads. This network was intended by the Congress to open the region to commerce and travel and enable the region's residents to move easily between homes, jobs, schools and public facilities.

The second major effort, area development, focuses on providing education and health care facilities, construction of water and sewer systems for industrial and residential needs, housing, child development, enterprise development and natural resources. Grants for these projects are combined with local and/or State funds as well as those from other Federal sources. Recognizing that local resources in the region were limited, the Congress provided for ARC "supplemental grants" to be used to help meet matching requirements for other Federal grant programs.

Public Works and Economic Development Act of 1965

As the Committee on Public Works developed the Appalachian legislation, it quickly attracted the attention of other members of the Senate. Immediately after its passage several of them began preparing proposals to create other regional commissions. Among them was the chairman of the committee, Senator Pat McNamara (D–MI), who advocated such an activity in the Great Lakes region.

New highways to penetrate the rugged mountains were seen by the Committee as essential to improving the economy of the 13-state Appalachian region. (Appalachian Regional Commission)

While the Appalachian bill was debated in the Senate, its supporters had committed themselves to considering other regional programs. Work began, therefore, on a bill to establish additional commissions.

At about this time, the committee received reports that the Administration was considering ending or severely curtailing the Area Redevelopment Act program. The focus of the committee then shifted to drafting a broader economic development bill that included a regional commission component.

At first the Administration opposed this initiative. It soon appeared, however, that there was widespread support for the kind of legislation being prepared by the committee. This was particularly apparent in the favorable response to Senator McNamara's speech on the subject to the legislative conference of the AFL–CIO in January, 1965. An Administration bill, the Economic Development Act of 1965, subsequently was proposed to the Congress.

To assure that the President's bill was referred to the Public Works Committee where it would receive a friendly reception, its name was changed to the Public Works and Economic Development Act. A concurrent referral was made to the Banking Committee but only for limited purposes.

The Public Works Committee expedited consideration and reported the bill (S. 1648) in May, and it was passed by the Senate in June. Concurring action came in the House and the new law (P.L. 89–136) was signed on August 26. In its final form it reflected concepts embodied in its predecessors, the Area Redevelopment Act, the Public Works Acceleration Act and the recently-passed Appalachian Regional Development Act.

It reaffirmed the ARA mission of permanently alleviating conditions of substantial and persistent unemployment and underemployment in distressed areas and emphasized the related goal of stemming out-migration from these areas. The new Act also stressed the need to encourage expanded development in the natural growth centers of depressed areas and the importance of long-range economic planning. The effort was directed primarily toward rural and lightly populated communities.

To administer the program, the law created the Economic Development Administration (EDA), to be headed by an assistant secretary, in the Department of Commerce. An authorization of $2 billion was provided for direct and supplemental public works grants for infrastructure development in distressed areas. These areas were to be designated on the basis of unemployment, income levels and other criteria.

An additional $850 million was earmarked for business development loans and loan guarantees to assist industries to locate or expand in distressed communities. As with the Appalachian program, EDA grants to encourage planning and coordination were provided to organizations with local and multi-county planning responsibilities.

Finally, the new law authorized the establishment of multistate regional commissions similar to the Appalachian Regional Commission. But there was a difference. Known as the "Title V Commissions" after the section of the law authorizing them, they were designated by the Secretary of Commerce and operated under the Department of Commerce.

Although eight of these commissions eventually were organized, they never gained the independence or financial resources enjoyed by the Appalachian Regional Commission. They were disbanded in 1981 during the period of Federal financial retrenchment.

The commissions organized under the EDA act covered all or parts of 33 States as follows:

Coastal Plains.—North Carolina, South Carolina, Georgia.

New England.—Massachusetts, Connecticut, New Hampshire, Rhode Island, Maine, Vermont.

Ozarks.—Oklahoma, Missouri, Arkansas, Kansas, Louisiana.

Upper Great Lakes.—Minnesota, Wisconsin, Michigan.

Four Corners.—Arizona, Colorado, New Mexico, Utah.

Old West.—North Dakota, South Dakota, Montana, Wyoming, Nebraska.

Pacific Northwest.—Oregon, Washington, Idaho.

Southwest Borders.—Arizona, California, New Mexico, Texas.

Operation of the Programs

When the basic economic development laws were being created, the Committee on Public Works had no permanent subcommittee specifically designated for the subject. A Special Subcommittee on Accelerated Public Works, under the chairmanship of Senator Randolph, operated during the 88th Congress (1963–64). No such subcommittee functioned during the 89th Congress (1985–86).

The 1965 actions had established ongoing programs that would require oversight and likely future legislative action. Therefore, in the 90th Congress (1967–68) a Special Subcommittee on Economic Development was created. Senator Randolph originally chaired the subcommittee but stepped down in 1968, and the chairmanship passed to Senator Ernest Gruening (D–AK). The following year the word "Special" was dropped from its name and Senator Joseph M. Montoya (D–NM) became subcommittee chairman, a position he held until leaving the Senate in 1976. Senator Howard H. Baker, Jr. (R–TN) served as ranking minority member of the reorganized subcommittee in the 91st and 92nd Congresses (1969–72) before becoming ranking minority member of the full committee in 1973.

Since establishment of the Appalachian Regional Development Commission, $5.4 billion has been spent in the region: $3 billion on highways and the remainder on area development.

The original act was amended in 1967, 1969, 1971, 1975, 1977, and 1980 as the congressional committees reviewed its operations and the needs of the region. Commission programs were broadened to include child development, planning and site development for housing and energy-related enterprises. The developmental highway system was extended. Originally planned to be 2,350 miles, it is currently authorized at 3,025 miles.

In 1975 the Public Works Committee became concerned about the potential weakening of the Federal-State partnership because of declining participation by governors in commission decisions. As a consequence, the legislation that year (P.L. 94–188) designated certain actions that governors could not delegate to their alternates. This requirement had the effect of stimulating greater personal involvement by governors in commission activities.

Significant changes since 1980 have modified the "growth center" policy to encourage commission investments in the region's poorest counties and have lifted the restriction on commission investment in projects directly supporting private industry.

In its first 15 years, the Appalachian program made progress in achieving its goal of closing the economic gap between the region and the rest of the country. Per capita income rose from 78 to 85 percent of the national average; the percentage of Appalachians living in poverty was cut in half; two million new private sector jobs were created; infant mortality was cut in half and basic health care was extended throughout the region. In addition, the important highway program is now about two-thirds completed.

A similar record was achieved by the Economic Development Administration during its first decade-and-a-half. Public works construction expenditures accounted for 60–70 percent of its total spending. Typical projects included industrial parks, water and sewer systems, industrial access roads, vocational/technical education facilities and other community development activities.

Throughout its history, the question of eligibility for participation has troubled the EDA program. The statute provided that assistance would be provided to areas of high unemployment. As conditions improved, eligibility would cease and areas would be "dedesignated."

As a practical matter, it became difficult and sometimes impossible to end area eligibility once it had been decreed. Congressional reauthorization acts regularly prohibited the EDA from removing eligibility although it was required by the basic law. This practice was most commonly initiated in the House of Representatives but was often, perhaps reluctantly, agreed to by the Senate.

This practice eventually lead to a situation in which approximately 90 percent of the country was technically economically distressed and eligible for EDA participation. Critics of the program regularly cited this nearly blanket eligibility as a major shortcoming for a program that was intended to narrowly target its activities.

Like the Appalachian statute, the EDA law has been amended and extended several times. There also have been periodic efforts to end both programs, efforts which generally have been resisted by the committee.

Moves toward expansion also have met resistance. One of the first attempts took place in 1971. Early that year, legislation to reauthorize the Appalachian program for four additional years was introduced and reported by the committee. An amendment added during consideration by the full Senate would have extended the Public Works and Economic Development Act as well. The bill was further amended in the House to reactivate the Public Works Acceleration Act of 1962.

President Richard M. Nixon vetoed the measure on June 29, but expressed his support for the Appalachian program and the activities carried out by the

Economic Development Administration. His veto reflected opposition to the $2 billion accelerated public works program. This action was sustained in the Senate by a vote of 57–36.

A subsequent bill extending only ARC and EDA, was passed by the Senate a week later by a vote of 88–2, and was signed into law (P.L. 91–304) on August 5.

Administration reluctance to expand either program was encountered again on October 27, 1972, when President Nixon successfully vetoed a reauthorization bill (H.R. 16071) containing $500 million for a public works impact program to be administered by EDA.

As a part of his campaign to consolidate and scale down Federal programs in 1973, President Nixon proposed abolishing EDA, putting its programs into other existing Federal agencies with rural development programs, and ending direct Federal funding of the Title V regional commissions. The Administration argued that the programs had fallen short of expectations and often duplicated community and regional assistance efforts by other agencies.

Congress disagreed and by substantial majorities in both houses passed legislation (P.L. 93–46) extending EDA for one year. Congress made two concessions to the President: EDA's fiscal year 1974 authorization level was reduced to $220.5 from the previous year's level of $301.5 million, and a study was authorized on restructuring the Federal approach to economic development. Bowing to the will of Congress, President Nixon signed the one-year extension of EDA.

In 1974 the Public Works Committee reported and the Congress approved a measure extending the Public Works and Economic Development Act through fiscal years 1975 and 1976. President Gerald Ford signed the bill on September 27, 1974, six weeks after taking office (P.L. 93–423).

This law included three significant new programs: funding to states and urban areas for economic development planning and policy making; setting aside funds for states to use in supporting public works, technical assistance, and other economic development projects; and provision of a wide range of economic adjustment assistance to respond to actual or threatened sudden economic dislocations, such as plant closings.

The third program, which came to be known as the title IX program, was expanded during fiscal year 1975 to permit assistance to areas which had deteriorated economically over a period of years.

Relatively modest levels of funding were provided for the new programs in 1975, but 1976 and succeeding years saw major funding increases in all EDA programs and particularly in title IX. The initial funding increases were at the initiative of Congress and reflected special anti-recessionary initiatives, but when President Jimmy Carter took office in 1977, the Administration joined the legislative branch in advocating the expansion of EDA.

A substantial new program was added to the EDA menu in 1974 with enactment of a measure created by the Committee on Labor and Public Welfare. The new statute (P.L. 93–567) established the $500 million Job Opportunities Program as title X of the Public Works and Economic Development Act. This effort was intended to provide emergency financial assistance to stimulate, maintain, or expand job-creating activities in areas of high unemployment.

The title X program was so popular that in 1976 the Committee on Labor Works—formulated the Local Public Works (LPW) and Public Welfare—in consultation with Environment and Public Program, to be administered by EDA. This $2 billion antirecessionary public works spending program was vetoed by President Ford, but the Congress overrode the veto and it became law (P.L. 94–369). The following year President Carter recommended an even larger program (LPW II) to the Congress, which was enacted and funded at $4 billion (P.L. 95–28).

The Senate reorganization of 1977 brought about the creation of a new subcommittee with expanded authority. Senator Quentin N. Burdick (D–ND) was chosen to chair this Subcommittee on Regional and Community Development. Senator Baker, then minority leader of the Senate, again became ranking minority member of the subcommittee responsible for economic development matters.

In addition to the Economic Development Administration and Appalachian Regional Commission, the new subcommittee held responsibility for the Tennessee Valley Authority, Federal disaster relief programs and public buildings. The review of public buildings programs later was assumed by the full committee.

The decline in the domestic steel industry in the 1970s resulted in EDA being called on to administer another Administration initiative. Faced with a declining share of the American market, stiffer competition from abroad and the strict new requirements of a rewritten Clean Air Act, the industry sought government assistance.

In March, 1978, EDA was designated to implement President Carter's $550 million Steel Loan Guarantee Program. This program was formulated to help steel firms modernize their plants, install mandated pollution control equipment and return to profitability. Under the program, EDA guaranteed loans totaling $365 million to five steel companies, one of the largest direct subsidy programs ever undertaken by the Federal Government. All of the companies failed, and four of the five declared bankruptcy.

The ambitions of the Carter Administration for EDA reached their peak in April, 1979, when the President proposed to the Congress that the agency be designated the primary Federal government development body. In his message accompanying the proposed National Public Works and Economic Development Act of 1979, the President stated his intention not only to substantially expand and improve EDA's programs, but to transfer certain Farmers Home Administration and Small Business Administration loan programs to EDA. Enactment of this legislation would have authorized EDA to expend up to $1.25 billion in grants and direct loans and up to $1.8 billion in private sector loans in fiscal year 1980. In addition, it would have significantly reduced the eligibility for EDA assistance which

had grown over the years to include areas containing nearly 90 percent of the population.

The President's proposal was introduced by Senator Burdick. After modification in the committee, it was passed by overwhelming margins in both houses of Congress. The House of Representatives, however, included three major items that were not part of the Senate bill: a new $2 billion local public works program (LPW III); higher authorizations; and retention of existing criteria for local participation in the EDA program. Extensive meetings of the Senate-House conference committee were held but a stalemate was reached over the inability to resolve these differences.

The conference was deadlocked when the Congress adjourned for the 1980 election. When it returned for the post-election session, it was clear that the election of Ronald Reagan as president and the Democratic loss of Senate control necessitated a fresh look at the proposed EDA expansion. In anticipation of its possible need, the Senate committee had secured Senate passage in September of a bill providing for a simple reauthorization of both the EDA and Appalachian programs without change. In the post-election session, the House agreed to this two-year extension (P.L. 96–506), authorizing both programs through September 30, 1982. The proposed expansion of the EDA program was abandoned.

Since that time, both programs have been continued, at reduced levels, through the appropriations process.

Economic Development in the Reagan Era

With the advent of Republican control in the Senate, the committee revised its subcommittee structure. Senator Frank Murkowski (R–AK) served as chairman of the Subcommittee on Regional and Community Development during the 97th Congress (1981–82), and Senator Gordon Humphrey (R–NH) was chairman during the 98th and 99th Congresses (1983–86). Senator Burdick was ranking minority member during the 97th and 98th Congresses, and Senator Frank Lautenberg (D–NJ) assumed this responsibility for the 99th Congress. The subcommittee concentrated its work in the noneconomic development areas of its jurisdiction during this period.

Previous congressional concerns over the future of economic development activities in the new Administration were justified soon after the inauguration of President Reagan in January, 1981. In his first State of the Union Message, the new President called for the abolition of both the Appalachian Regional Commission and the Economic Development Administration. His budget proposed no funds for either activity in fiscal year 1982 and there were efforts to have existing appropriations rescinded.

In March, 1981, the Administration sent to the Congress a proposal to rescind more than half of the $625 million appropriated for EDA in fiscal year 1981. Congress agreed to a budget reduction of approximately 30 percent, and at the end of the fiscal year the agency reduced its staff from over 900 to 450. The Administration did succeed in its goal of terminating the title V regional

commissions. The Omnibus Budget Reconciliation Act of 1981 (P.L. 97–35) repealed the authorization for these organizations.

In every year since then, the Administration's annual budget proposal has recommended terminating both the Appalachian and EDA programs. EDA's business loan program was phased out in fiscal year 1983, and support for other programs was decreased as well. EDA has been continued by the appropriations committees, but at greatly reduced levels. With the advent of the Gramm-Rudman deficit reduction legislation in 1985, EDA expenditures reached a low of approximately $170 million in fiscal year 1986. In fiscal year 1988 EDA was funded at $182 million.

The situation with the Appalachian program was somewhat different. Its structure as a Federal-state partnership left the 13 member governors free to actively pursue survival of the program. In response to a congressional request, the governors proposed a "finish up" plan to narrow the ARC program's focus, cut costs and set target dates for completion of health and other programs as well as a scaled-down highway system. This response to the new political reality in Washington was intended to address the Appalachian region's most serious unmet needs.

The governors' proposals were introduced (S. 2144) in the Senate by Senator Randolph early in 1982. It and a similar measure in the House both were passed, but a conference was never called to resolve the differences between the two bills.

Reauthorization legislation for ARC was reported by the Senate Environment and Public Works Committee during the 98th Congress (1983–84) but as not considered by the full Senate. The governors continued to submit program and budget proposals annually but they did not receive congressional approval. The Commission's most generous appropriation was $380.9 million in fiscal year 1979. Two years later, the first year of the Reagan Administration, it dropped to $302 million after the Congress had agreed to rescind $40 million from the amount appropriated for area development programs that year. The fiscal year 1988 funding level was $107 million.

The committee has not considered an EDA reauthorization measure since 1980. The House Committee on Public Works and Transportation, however, has reported, and the House has passed, legislation reauthorizing the Economic Development Administration and the Appalachian Regional Commission four times in the last eight years.

TENNESSEE VALLEY AUTHORITY

The Tennessee Valley authority probably involves the Committee on Environment and Public Works in as many facets of its jurisdiction as any program for which it is responsible. Regional economic development, waterway navigation, flood control, pollution control, wildlife protection, and energy production all come together in this unique public body which was one of the earliest innovations of the New Deal more than a half-century ago.

On May 18, 1933, President Franklin Delano Roosevelt signed legislation (P.L. 74–412) creating the Tennessee Valley Authority (TVA) as an independent public corporation designed to conduct a unified program of resource development for the advancement of economic growth in the region of the Tennessee River. TVA's activities include flood control, navigation development, power production, fertilizer development, recreation, and forestry and wildlife development. While its power program is financially self-supporting, other programs are financed by congressional appropriations.

Jurisdiction over the Tennessee Valley Authority was assigned to the Committee on Public Works in the Senate reorganization of 1947. Within the committee, TVA was the responsibility of the Subcommittee on Regional and Community Development after the 1977 reorganization and was shifted to the Subcommittee on Nuclear Regulation under the chairmanship of Senator John B. Breaux (D–LA) in the 100th Congress (1987–88).

For 40 years, TVA has been the largest producer of electricity in the nation, with its power distributed to more than seven million customers in seven States. Its self-supporting power program accounts for more than 95 percent of its total annual budget of $10.8 billion. TVA's service area covers parts of seven states: Kentucky, Virginia, Tennessee, Mississippi, Alabama, Georgia and North Carolina.

A system of dams built by TVA on the Tennessee River and its larger tributaries provides flood control on the Tennessee and helps regulate flows on the lower Ohio and Mississippi rivers. The system maintains a continuous nine-foot-draft navigation channel for the length of the 650-mile Tennessee River. The dams harness the power of the rivers to produce electricity and provide other benefits, including outdoor recreation.

In economic and community development programs, TVA provides technical assistance in several fields, including industrial development, regional waste management, and tourist promotion.

At Muscle Shoals, Alabama, TVA operates a national laboratory for development of new and improved fertilizers and processes. Research results are made available to industry. Fertilizers produced in the demonstration facilities are distributed for use in research and educational programs, principally from test-demonstrations and demonstrations conducted through cooperative and wholesale fertilizer distributors.

In conjunction with other agencies, TVA conducts research and development programs in forestry, fish and game, watershed protection, health services, and economic development.

In the western parts of Kentucky and Tennessee, TVA operates Land Between The Lakes, a demonstration project in outdoor recreation, environmental education, and natural resource management.

TVA is governed by a three-member Board of Directors appointed by the President, with the advice and consent of the Senate. The Board members serve nine-

year overlapping terms; a chairman is chosen by the President from the Board. More than 27,000 people are employed by TVA.

TVA operates under a permanent authorization from the Congress which does not require periodic renewal. The committee, therefore, directs most of its attention toward oversight of TVA operations, periodic modifications to the basic authorization statute and consideration of presidential nominees to the Board of Directors.

Early in its life, TVA gave priority to improving navigation on the Tennessee River and constructing a series of reservoirs with which to provide hydroelectric power to enhance the developmental potential of the region. Since that time, a series of events led to the massive expansion of TVA's electric power program so that today it is the largest in the country.

During and after World War II there was a great surge in the demand for power, at least partly due to the demands of the development of nuclear technology at Oak Ridge, TN. To help meet this demand, TVA built coal-fired powerplants to supplement its hydroelectric capacity. In the 1950's it began to purchase large amounts of coal, and by 1960 TVA's coal-fired generating capacity was double that of its hydroelectric facilities.

This shift from hydroelectric to coal and the enlargement of power capacity were to involve TVA in a series of controversies that have continued to the present time. The rapid increase in its coal needs resulted in an expansion of surface mining in the region and stimulated concern over the environmental consequences. At the same time, there were complaints that TVA's coal-fired power plants were contributing significantly to air pollution problems.

In 1969 TVA entered the nuclear age when it began construction of its first nuclear powerplant, Brown's Ferry, in northern Alabama. Other nuclear plants were constructed and still others were planned until the 1980s when increasing costs and questions about the question of the nuclear powerplants caused the entire nuclear system to be closed down until these questions could be answered. Some new construction was cancelled and TVA began a restructing of its nuclear power system. In the 1980s, TVA cancelled or deferred construction of nine of 17 planned new nuclear units.

At the urging of the committee, TVA began efforts in the late 1970s to reduce the impact of its power production facilities on air pollution. In 1978 it reached an agreement with the Environmental Protection Agency to implement a least-cost plan for pollution abatement. It also endorsed Federal legislation to regulate surface mining of coal and to reclaim mined lands. A program was instituted to help small coal producers comply with the new law.

A few years later, the committee felt TVA had improved its operations to such an extent that it was held up as a model of how electricity can be produced in an environmentally sensitive manner.

Prior to 1959, TVA financed additions to its power system through retained earnings and appropriations. The committee that year developed legislation (P.L.

86–137) which authorized TVA to issue bonds up to $750 million, payable out of power revenues and secured only by TVA's integrity. The bond debt limit was increased in 1966 to $1.75 billion (P.L. 89–537); in 1970 to $5 billion (P.L. 91–446); in 1975 to $15 billion (P.L. 94–139); and in 1979 to $30 billion (P.L. 96–97).

When TVA began an ambitious program of constructing 17 nuclear generation units and energy prices began to rise, TVA's standing as the nation's lowest-cost power producer began to wane. Rates in the region increased, and consumer complaints were received by the committee.

The committee has conducted oversight hearings on TVA on three occasions. The first was in 1975 when a series of hearings was held on TVA's coal procurement policy, its proposed plant to acquire the Peabody Coal Company, the social and economic impact of its electric rates, and its construction and employment practices. A significant amount of testimony was also received at that time on TVA's environmental record.

A second series of hearings was held by the full committee in 1981, primarily in response to the controversy surrounding TVA's rapidly accelerating electric power rates.

The Subcommittee on Regional and Community Development, then chaired by Senator Gordon Humphrey (R–NH), held three days of oversight hearings on TVA in 1985. Rate increases were again discussed, as well as TVA's problems with its nuclear power program, proposed Administration cuts in TVA's appropriated programs, and the total spectrum of the agency's structure and operating practices.

The committee has approved every TVA Board member proposed by the President with two exceptions. Both were proposed by President Gerald Ford in the 94th Congress (1975–76). James F. Hooper III of Mississippi was nominated on June 12, 1975. In response to questions raised about Mr. Hooper's qualifications, the committee staff, with the assistance of the General Accounting Office, conducted a three-month analysis of the nominee's background. The extensive staff report offered no recommendations. The committee voted 11 to 1 on February 24, 1976, to indefinitely postpone any further consideration of the Hooper nomination.

Subsequently, on June 16, 1976, President Ford formally withdrew the Hooper nomination and proposed Thomas L. Longshore for TVA Board membership. After extensive consideration, the committee on August 24, 1976, by a vote of 8 to 6, rejected a motion to favorably report the nomination. No further names were submitted to the Senate before adjournment of the 94th Congress.

All board nominations since that time have been confirmed by the Congress.

DISASTER RELIEF

For more than a century Federal assistance for disaster losses took the form of occasional special appropriations acts passed by the Congress for emergency funds or supplies. Such legislation not only was temporary in nature, limited in scope, and retroactively applied, but often was not enacted until months after a disaster occurred. Since the early 1930s, some Federal aid was made available at various times for specific purposes, including emergency flood control, damaged Federal-aid highways, and agricultural, business and housing disaster loans. The first permanent, more-encompassing disaster assistance law, however, was not adopted until 1950. Senate development of this comprehensive new statute was carried out by the Public Works Committee's Subcommittee on Flood Control and Improvement of Rivers and Harbors chaired by Senator Sheridan Downey (D–CA).

The 1950 act (P.L. 81–875) authorized for the first time prompt Federal aid after catastrophes to help clear debris, restore government owned and operated facilities and services, and alleviate personal suffering without waiting for subsequent congressional action. It established the principle, still adhered to, that such assistance can be extended by the President. After a governor certifies the need for assistance and promises substantial State and local efforts, Presidential approval could be granted if he determined that one or more types of causes listed in the act has resulted in a major disaster which would warrant such Federal aid. After such a finding, the President was empowered to direct Federal agencies to use or lend (with or without compensation) their resources to State and local governments, to distribute food, medicine and other supplies, and to donate surplus equipment and supplies to State and local governments. In addition they could be directed to remove debris and wreckage in a disaster area and to make emergency repairs or provide temporary replacement of local government public facilities damaged or destroyed in a major disaster.

From the 82d Congress (1951–52) through the 87th Congress (1961–62) several amendments to the 1950 act were considered, including proposals to: allow State and local governments to use or distribute surplus property in a major disaster; authorize the restoration of parks and recreational areas destroyed in major disasters, and; extend the provisions of P.L. 81–875 to Guam, AmericanSamoa and the Trust Territory of the Pacific. Of these proposals, only the latter was enacted (P.L. 87–502).

Following a series of devastating tornadoes in the Midwest, Senator Birch Bayh (D–IN), a member of the Public Works Committee, introduced a bill (S. 1861) on April 30, 1965, substantially expanding Federal responsibility and benefits in major disaster areas. Though reported favorably by the Public Works Committee on July 15, and passed by the Senate without amendment on July 22, 1965, several features of the bill were eliminated before adoption by the House of Representatives on October 17, 1966. As finally enacted, the Disaster Relief Act Amendments of 1966 (P.L. 89–769) provided up to 50 percent of the cost for repairing, reconstructing or restoring disaster damaged State and local government facilities and either grants or loans for similar losses by public institutions of higher education. Some assistance to the private sector also was authorized by permitting the adjustment of payment schedules of principal and interest or

Federal disaster relief programs are now available to respond immediately to the unexpected, such as this coastal hurricane damage. (Federal Emergency Management Agency)

the refinancing of housing loans by the Department of Housing and Urban Development (HUD) and the Veterans Administration (VA), and of Rural Electrification Administration (REA) loans. Disaster loans to private colleges and universities, on which both the principal and interest could be waived for as long as three years, were also allowed.

Hearings were held in June and July, 1967, on a second Bayh bill (S. 438) incorporating provisions of the 1965 measure which had been deleted by the House. it was reported by the committee in April, 1968, S. 438 but was not acted on in the 90th Congress (1967–68).

Nevertheless, a number of its features were reintroduced as S. 1685 by Senator Bayh on March 26, 1969. Reported by the committee on June 25, the bill passed the Senate on July 8 and the House, in much amended form, on July 9.

In August, 1969, Hurricane Camille struck the Gulf Coast and swept inland, causing 262 deaths and $1.5 billion in property losses as it cut a swath northward from Louisiana to West Virginia. Hurricane Camille, believed to be the largest known destructive force of wind and water ever to strike the United States, prompted quick agreement by the Senate-House conference, restoring most of the benefits of the original bill. It was approved by both chambers on September 18 and signed by President Nixon on October 1, 1969.

The Disaster Relief Amendments of 1969 (P.L. 91–79) added the following new benefits and programs to the 1950 and 1966 laws: grants to States for 50 percent

cent of the cost of repairing or reconstructing disaster damaged roads not on the Federal-aid system; $250,000 in matching funds to each State for developing preparedness plans and programs; grants to States to remove debris from public and private lands and waters and to help suppress forest or grassland fires; cancellation of up to $1,800 of the amount in excess of the first $500 of any SBA or FmHA disaster loan; refinancing, on more favorable terms, of mortgages on damaged property; adjusting or waiving rentals for temporary housing provided to disaster victims, with a maximum limit on rental of 25 percent of a family's income; distribution of food coupons as well as surplus food to low-income households; and special unemployment assistance to workers, deprived of jobs because of a major disaster, who were not entitled otherwise to regular unemployment compensation.

Largely in response to the devastation wrought by Hurricane Camille, Chairman Jennings Randolph created a Special Subcommittee on Disaster Relief in the autumn of 1969. Senator Bayh was named its chairman. To evaluate the Federal response to Hurricane Camille the subcommittee conducted hearings in the affected area and in Washington from January through May, 1970. More than 200 witnesses testified during three days of hearings in Biloxi, Mississippi, in January, 1970, two days in Roanoke, Virginia, and the remainder in Washington.

Testimony was received from 233 people. Evidence submitted to the subcommittee indicated considerable dissatisfaction with the kinds and amounts of Federal disaster assistance available, as well as with the delays, confusion, lack of coordination and sometimes discrimination in its delivery. In view of these claims, Senator Bayh and 27 other Senators introduced a new, expanded bill (S. 3619) on March 20, 1970. After five more days of hearings on the measure in Washington, it was reported by the committee on August 31 and passed unanimously (54–0) by the Senate on September 9. While a much narrower bill passed the House on October 5, most of the provisions of S. 3619 prevailed in conference and it was signed by the President on the last day of 1970 (P.L. 91–606).

The 1970 act repealed its 1950, 1966 and 1969 predecessors. The new measure, however, retained much of the previous program while increasing existing benefits and establishing some new activities. Added to the list of potential causes for a major disaster designation were the words "tornado, high water, wind-driven water, and tidal wave." Free temporary housing was mandated for as long as 12 months, with rentals to be adjusted thereafter. The cancellation feature of Small Business Administration (SBA) and Farmers Home Administration (FmHA) disaster loans was increased from $1,800 to $2,500, and the principal and interest on such loans was allowed to be deferred for up to three years. Temporary mortgage or rental payments on damaged homes were authorized for one year. Federal contributions for damages to State and local government facilities were raised from 50 percent to 100 percent of net costs. Likewise, grants could be made to local governments for as long as three years for substantial property tax losses sustained in a major disaster. Both SBA and FmHA disaster loans were authorized for any industrial, commercial or agricultural enterprise that had been a major source of employment in a disaster area.

Many of the disaster assistance powers previously exercised by the President were conferred by the Act on the Director of the Office of Emergency Preparedness

(OEP). That agency was authorized to form emergency support teams of Federal personnel to be deployed as needed in a major disaster area and to make agreements with private relief organizations for the distribution of supplies and the restoration of essential services and facilities. Finally, regulations were required to be issued to insure that all disaster assistance would be administered in an equitable manner, without discrimination on the grounds of race, color, religion, nationality, sex, age, or economic status.

The Special Subcommittee of Disaster Relief ceased to exist after passage of the 1970 Act. Its subject matter was assigned to the Subcommittee on Economic Development, chaired by Senator Joseph Montoya (D–NM), at the beginning of the 92nd Congress (1971–72). Senator Bayh became chairman of the Subcommittee on Transportation at that time.

Less than six weeks after enactment of the new law, a devastating earthquake occurred on February 9, 1971. Centered in the San Fernando Valley of California, it caused heavy loss of life and property in the City of Los Angeles and its nearby suburbs. This major disaster provided an early test of the scope and adequacy of the new Act and gave rise to an important amendment. The Subcommittee on Economic Development, to observe how the act was being administered and how disaster victims were faring under its terms, toured the damaged areas and held three days (June 10–12) of oversight hearings that year in the San Fernando Valley.

To remedy a gap in P.L. 91–606, Senator John Tunney (D–CA), with 32 cosponsors, introduced a bill (S. 1237) authorizing a grant not to exceed 100 percent of the net cost for the repair, reconstruction or replacement of any non-profit, privately owned medical facility damaged or destroyed in a major disaster. Reported by the Committee on October 28, S. 1237 was passed by the Senate on November 3, by the House on December 6, and was approved by the President on December 18, 1971 (P.L. 92–209).

A second bill (S. 2358), introduced by Senator Bayh on July 28, 1971, which proposed other amendments to the 1970 act as well as an all-risk type of disaster insurance program, was not acted on by the Senate.

The committee reestablished the Subcommittee on Disaster Relief in 1973. Under its new chairman, Senator Quentin Burdick (D–ND), the subcommittee held five oversight and legislative hearings in 1973: Biloxi, Mississippi (March 24), to evaluate long-term recovery measures in the Gulf region after Hurricane Camille; Rapid City, South Dakota (March 30–31), to review needs and assistance following serious flooding in that city; Wilkes-Barre, Pennsylvania (May 11–12) and Elmira, New York (June 1–2), to study the impact of Hurricane Agnes in 1972 and the effectiveness of Federal aid; and Washington, D.C. (June 20–21 and September 11–13) to take testimony of national, State and local officials on the administration of disaster relief and on proposed changes in legislation.

In 1973 the subcommittee also considered a report submitted on May 8 by the President entitled "New Approaches to Disaster Preparedness and Assistance"

and the Administration's companion disaster assistance bill (S. 1840). The President, through Reoganization Plan No. 1, abolished the Office for Emergency Preparedness, effective July 1, 1973. The disaster relief authorities of OEP were returned to the President and then transferred to the Department of Housing and Urban Development (HUD), where the Federal Disaster Assistance Administration (FDAA) was established. It was responsible (beginning July 1, 1973) for the administration of disaster relief programs. In the same year the Congress repealed the cancellation feature in disaster relief legislation since 1969 which had allowed "forgiveness" of a portion of both SBA and FmHA disaster loans, the amount of which had been doubled in 1972 from $2,500 to $5,000.

The subcommittee held hearings March 6, 1974, on an extensive new disaster relief bill (S. 3062) introduced by Senator Burdick on February 26. Widespread damage wrought by tornadoes in nine Southern and Midwestern States on April 3 encouraged congressional action on this measure. After Subcommittee members on April 5 and 6 inspected losses suffered in affected parts of Tennessee, Kentucky, Indiana and Ohio, S. 3062 was reported with amendments three days later by the full committee, passed unanimously (91–0) by the Senate on April 10, and agreed to with some changes by the House on April 11. The Senate and House agreed to the conference report on May 9 and 15 respectively, and the bill was signed into law (P.L. 93–288) by the President on May 22.

Except for certain disaster loans and technical sections, the 1974 act replaced all of the 1970 Disaster Relief Act. Nevertheless, it adhered to basic principles set forth in the 1950 and subsequent laws, such as vesting authority in the President to determine whether Federal aid is warranted, and requiring State and local governments to share in providing assistance. While the act retained the basic framework of many earlier programs, the following significant changes were made and new benefits were added:

—returned nearly all Federal disaster relief authority to the President in a reversal of the 1970 act;

—authorized a presidential declaration of an emergency rather than a major disaster if damages do not warrant the full range of Federal aid or in order to avert or minimize or lessen the threat of a potential disaster;

—expanded causes for determining existence of a major disaster or an emergency to include tsunami, volcanic eruption, landslide, mudslide, snowstorm and explosion;

—extended disaster assistance to the Panama Canal Zone, Indian tribes, and Alaskan native villages and organizations;

—provided disaster preparedness and planning grants not exceeding $250,000 to States on a non-matching basis, and $25,000 annual matching grants to improve and maintain those plans;

—authorized grants not exceeding 100 percent of repair or reconstruction of public educational and recreational facilities and of private, nonprofit educational, utility, emergency medical and custodial care facilities damaged in major disaster;

—permitted State or local governments, to apply for, in lieu of grants for damaged public facility, of an overall contribution based on 90 percent of the total estimated cost for restoring all damaged public facilities, which

could be used either to restore certain projects or to construct other new facilities deemed necessary;

—authorized block grants, based on 100 percent of the repair costs, if total damages to public facilities in a particular community were less than $25,000;

—allowed cancellation of all or part of a disaster loan, extended to a local government because of substantial property losses caused by a major disaster, if local revenues were insufficient in the subsequent three years to meet necessary community expenses;

—required State and local governments receiving disaster grants or loans to evaluate and mitigate natural hazards, to employ safe land-use and construction practices, and to secure reasonably available, adequate and necessary insurance against future losses to public property repaired or restored with Federal aid;

—broadened temporary housing aid by permitting installation at Federal expense of essential utilities for mobile homes;

—allowed restoration of minimally-damaged, owner-occupied residential structures to an habitable condition in lieu of other types of temporary housing (latter dubbed the "mini-repair" program);

—increased to one year the length of the period for receiving disaster unemployment compensation;

—provided professional counseling to help relieve mental health problems attributable to major disasters;

—directed the purchase and stockpiling of adequate food supplies for mass feeding during major disasters or emergencies;

—authorized grants not to exceed $5,000 for the necessary expenses of individuals or families adversely affected by a major disaster, to be financed jointly by the Federal and State governments on a 75 percent to 25 percent sharing basis;

—authorized an economic recovery program (the funding authority for which was repealed by Congress in 1981) for areas where severe economic dislocation has been caused by a major disaster.

Early in 1977, the committee, as part of the general reorganization of the Senate committees, abolished the Subcommittee on Disaster Relief and assigned its jurisdiction to the new Subcommittee on Regional and Community Development chaired by Senator Burdick.

In 1978 President Carter, through Reorganization Plan No. 3, established the Federal Emergency Management Agency (FEMA) which assumed the disaster relief functions performed since 1973 by the Federal Disaster Assistance Administration.

Extensions for authorization of funding under the Disaster Relief Act of 1974 were approved by the committee and the Congress in 1977 (P.L. 95–51) and 1980 (P.L. 96–568), as were expanded authorizations in 1983, 1984, 1985 and 1987 for emergency highway funds to be used (under 23 U.S.C. section 125) for repair and reconstruction of Federal-aid highways damaged in disasters.

Following the first comprehensive review of disaster relief legislation in eight years, the committee in 1982 considered S. 2250, the Disaster Relief Act Amendments of 1982. The committee had become concerned that congressional intent

was not being fully complied with in the administration of some of its provisions and that others were in need of revision.

The 1982 bill proposed amending the definition of a major disaster so as to restrict its meaning to catastrophes that were essentially "natural" in origin. It also authorizes the President, within explicit limitations, to respond to a broad range of incidents, both natural and non-natural, by using his power to determine an emergency existed in order to supplement State and local efforts to save lives and protect property, public health and safety or to lessen or avert the threat of a disaster.

The bill also would have enacted the policy, followed by Administration since 1980, of limiting the Federal share for contributions to State and local governments to 75 percent of the net eligible costs for the repair or reconstruction of damaged public facilities.

S. 2250 was reported by the committee on May 28, 1982, and passed by voice vote of the Senate on June 9. Although hearings were held in the House on the bill in August, no action was taken before the 97th Congress adjourned. A similar bill (S. 2517) introduced in the 98th Congress (1983–84), was reported by the committee on May 15, 1984 and passed by the Senate on September 12 but was not acted on by the House of Representatives. Although the text of this bill was then attached to other measures during the 99th Congress (1985–86), it was not considered by the House.

Extensive changes in the administration of emergency and disaster assistance, including an increase in the average non-Federal share of disaster relief programs from 25 percent to 50 percent, were proposed by FEMA on April 18, 1986. The House of Representatives in response passed a bill (H.R. 5488) on September 30, 1986, prohibiting the implementation of the proposed rules and providing for a moratorium for 18 months on issuing regulations or taking actions that would alter current disaster relief policies. The bill also required that the Federal share for temporary housing, unemployment payments and relocation assistance would be at 100 percent of actual cost.

In passing H.R. 5488 on October 3, 1986, the Senate substituted for the House text language similar to that in its earlier bill (S. 2517). Two weeks later the Senate included the same measure in another bill (S. 2125), a bill to provide disaster relief to a group of California countries. This measure also failed to become law in 1986, but the fiscal year 1987 continuing resolution prohibited implementation of the proposed regulations.

In June 1987, two identical bills (H.R. 2707 and S. 1453), which were similar to the Senate passed version of H.R. 5488, were introduced in the House and Senate respectively. These bills contained most of the disaster relief changes proposed in the measure passed by the Senate in the three previous Congresses. A considerably revised text of H.R. 2707, now entitled the Disaster Relief and Emergency Assistance Act of 1988, was reported favorably on March 15 and was passed (368–13) by the House on March 17. In May, 1988, the leadership of the Committee on Environment and Public Works introduced a bill (S. 2380) virtually identical to legislation previously passed by the Senate.

A compromise between the Senate and House bills was reached through informal negotiations. It was adopted by both bodies as an amendment to H.R. 2707 and became law (P.L. 100-707). The measure was named the Robert T. Stafford Disaster Relief and Emergency Assistance Act in recognition of the Senator's work in this area.

ENVIRONMENT

CLEAN WATER

The quality of the Nation's waters has been a major focus of the committee's activities for nearly 40 years. The protection of rivers, lakes, and streams, in fact, was the basis for the committee's first legislative initiatives in environmental protection.

The initial Federal environmental law is generally considered to be the 1899 Refuse Act which prohibited the discharge of refuse into navigable waters and authorized bounty payments for those who reported polluters. The Oil Pollution Act of 1924 was another early action addressing water pollution. With the Water Quality Improvement Act of 1970 (P.L. 91–224), developed by the Committee on Public Works, the Congress began the evolution of contemporary environmental laws. Stimulated by major oil spills from two ships (the Torrey Canyon and the Ocean Eagle), the 1970 law was primarily aimed at the consequences of such spills. But it also provided that any construction carried out under a Federal license—such as a nuclear powerplant—must comply with State water quality standards. Concern over pesticides and hazardous substances was also reflected in the statute.

Under the committee's leadership, limited early statutes have evolved into a comprehensive program which addresses all waters of the United States, requires rigorous water cleanup standards for municipalities and industries, and provides billions of dollars in grant assistance to communities for construction of sewage treatment facilities.

The Federal Water Pollution Control Act, or Clean Water Act, authorizes a wide range of water pollution programs developed by the committee and is the legal backbone of America's Federal water pollution cleanup campaign.

The committee's first strictly environmental legislation was the Water Pollution Control Act of 1948 (P.L. 80–845). This first major step in Federal water quality legislation was proposed by two of the Senate's most prominent members, neither of whom was a member of the committee, Alben W. Barkley (D–KY), who was elected vice president later in 1948, and Robert A. Taft (R–OH), the majority leader. The new law recognized the primacy of States in the field of water pollution control and established the Federal role as providing support—largely technical—for the States.

The Federal Water Pollution Control Act of 1965 (P.L. 84–660), authorized water quality research and demonstration projects and, most significantly, authorized in 10-year program of grants to communities for construction of wastewater treatment facilities at a level of $50 million per year.

The 1960s was a period of growing public and congressional attention to public health and environmental problems of pollution. Stories and photographs of burning rivers, dead fish and lakes unable to support life helped create a climate of public concern about the deterioration of water quality.

In response, the committee's Special Subcommittee on Air and Water Pollution, under the direction of Senator Edmund Muskie (D–ME), chairman, and Senator J. Caleb Boggs (R–DE), ranking minority member, held hearings and reported legislation which became the Water Quality Act of 1965 (P.L. 89–234). This statute made quality a national rather than a local priority. Local governments received Federal dollars to build sewage treatment projects, and a more effective enforcement process was created.

The committee continued its oversight and review of water quality issues with a two-year study in 1970–71, including nearly 30 days of public hearings. The committee concluded that, despite some progress, many of the Nation's navigable waters remained severely polluted.

The committee found that the existing water quality standards process, enforcement mechanism, and levels of Federal funding had to be revised in order to adequately reduce water pollution. This assessment led to enactment of the Federal Water Pollution Control Act Amendments of 1972 (P.L. 92–500), the most comprehensive legislative response to water pollution problems to date.

The "rediscovery" of the 1899 Act prohibiting discharge of refuse into navigable waters provided important precedent in development of the 1972 legislation. Building on this initiative, the 1972 amendments established a Federal permit program.

The 1972 amendments established two ambitious water quality goals: total elimination of pollutant discharges by 1985 and, by 1981, an interim goal of water quality adequate to provide for protection of aquatic life and wildlife and for recreation in and on the water. In order to achieve these objectives, the 1972 Act mandated a fundamental shift in approach. Rather than basing control requirements on ambient standards and working backward to the sources of pollution, nationally uniform effluent limitation standards would be applied to industrial and municipal sources.

These new technology-based standards were coupled with statutory deadlines intended to achieve increasingly stringent pollution control. First, all industrial pollution sources were required to apply the best practicable waste treatment technology, and communities were required to install secondary treatment of municipal wastes by mid–1977. Second, industries were required to apply the more stringent best available technology (BAT) by mid–1983. Enforcement of the program was achieved through a comprehensive permit program, making it illegal to discharge pollutants into the Nation's waters without a permit provided under the Act.

The 1972 legislation required comprehensive regional waste treatment planning and addressed for the first time the problem of nonpoint source pollution, or rainfall runoff from areas such as agricultural lands, city streets, construction sites, and forests.

Civil and criminal penalties were provided, including authority for citizen suits against those who violate effluent standards or compliance orders.

To accelerate municipal pollution cleanup, the extended program authorized $18 billion for three years as grants for construction of sewage treatment works. The committee believed that, although identified nationwide funding needs were twice the authorized amount, funds provided under the Act would enable communities to make major inroads into their construction backlog and begin to achieve the kind of pollution control program anticipated by the legislation.

Despite strong public support for environmental improvements and water pollution programs specifically, Federal sewage treatment grant funding has been particularly controversial. Indeed, P.L. 92–500 authorized such a large increase in appropriations that President Nixon vetoed the bill on the basis of its purported "budget-wrecking" effects. Under the committee's leadership, the Senate and House quickly overrode the veto.

The 1972 Act also created the National Water Quality Commission and charged it with assessing progress in implementing water quality programs and in achieving the goals and objectives of the Act. The Commission was chaired by New York Governor Nelson A. Rockefeller, who continued in that role even after he became Vice President of the United States. Senator Muskie and Representative Robert Jones (D–AL), chairman of the House Committee on Public Works and Transportation, served as the Commission's vice chairmen. The Commission completed its work and issued a comprehensive report in June 1976. The report concluded that, while the ambitious deadlines of the original legislation would not be attained in some cases, the basic framework and requirements of the Act were sound.

In 1977, after two years of reviewing the Act's implementation, the Congress enacted legislation making midcourse corrections to the 1972 amendments. The Clean Water Act of 1977 (P.L. 95–217), built on the 1972 statute in three basic ways.

First, it extended authorizations for the municipal sewage treatment construction grants program, providing $24.5 billion over five years while extending the municipal compliance deadline to 1983. Second, it included numerous "fine-tuning" provisions to adjust municipal and industrial source deadlines, improve administrative flexibility, and enhance implementation by EPA and the States. And third, it provided new authorities for controlling toxic pollutant discharges into the Nation's waters.

During its review of water quality issues that included 21 public hearings, the committee focused considerable time and attention on toxic water pollution problems. These efforts were reflected in the 1977 Clean Water Act which reaffirmed the commitment made in 1972 to apply technology-based controls to industrial sources of toxic and potentially toxic waste discharges.

At the same time, the 1977 legislation sought to accelerate the regulation of toxic pollutants through a process of mandating lists of substances and industries to be regulated, plus establishing specific deadlines for compliance with toxic pollutant control requirements. The committee viewed these requirements as a beginning, but a major step towards the Act's policy of eliminating the discharge of toxic pollutants.

Committee concern about the steady disappearance of the Nation's wetlands, such as those called home by this egret, led the Committee to make their protection a major function of the Clean Water Act (Environmental Protection Agency)

The Clean Water Act of 1977 had authorized sewage treatment grants funding through September 30, 1981. Thus, the committee turned its attention to the Act's construction grants program early in the 97th Congress (1981–82).

By this time the Senate had come under Republican control for the first time in more than a quarter-century and a newly-elected Republican Administration was vigorously pursuing a policy of reducing Federal spending. Even with the committee's continuing commitment to environmental improvement, this situation contributed to the difficult policy choices faced by the committee and the Congress.

On the one hand, despite $30 billion in Federal investment since 1972, a national total of over $100 billion in additional municipal sewage treatment investment was believed to be required to fully attain the goals of the Act. On the other hand, fiscal pressures and efforts to constrain Federal spending led the committee and the Administration toward programmatic reforms. Still, the committee found the basic goals of the Act to be valid and widely supported by the public.

The Subcommittee on Environmental Pollution was then under the leadership of Senator John Chafee (R–RI), chairman, and Senator George Mitchell (D–ME), ranking minority member. Two themes dominated the public hearings and debate during 1981: the need to focus scarce Federal dollars on the most urgent treatment needs, and the need for funding stability. The Municipal Wastewater Treatment Construction Grant Amendments of 1981 (P.L. 97–117), sought to address these concerns.

The 1981 Act extended wastewater treatment grants funding at $2.4 billion annually for four years ($9.6 billion total through fiscal year 1985). It also reduced the Federal share of project costs from 75 percent to 55 percent, as a means of spreading available Federal resources and encouraging communities to make efficient project choices and investments. To focus the program on priority projects having the greatest water quality benefits, the Act limited the types of facilities for which Federal funds could generally be used and restricted funding of projects that would support community growth.

After focusing on the Act's sewage treatment grants program during 1981, the committee turned its attention to extending and revising other provisions of the Clean Water Act. These efforts, continuing from the 97th to the 100th Congresses, resulted in the Water Quality Act of 1987 (P.L. 100–4), the most comprehensive changes in the basic law since 1972. As in previous reviews, however, neither the committee nor the Congress sought to alter the goals or fundamental approach of water quality law.

The committee held a series of oversight hearings beginning in 1982. Although the committee reported two measures in 1983, the 98th Congress (1983–84) adjourned without considering these proposals. One of the reported bills addressed regulatory aspects of the law, while in the other the committee proposed a new program dealing with nonpoint sources of pollution.

The nonpoint source control initiative was encouraged primarily by Senator Dave Durenberger (R–MN) and resulted from the recognition that, despite progress in controlling industrial and municipal point sources of pollution, the largely uncontrolled nonpoint sources, such as runoff from farm and urban areas, may represent as much as 50 percent of the Nation's remaining water quality problems. The committee developed a nonpoint pollution management program which provides grant assisting totalling $400 million over four years to assist States in developing and implementing programs to control nonpoint sources of pollution.

In the 99th Congress (1985–86), the committee developed legislation which set the course for Federal aid to local sewage treatment construction through the mid-1990s. The legislation established a new program of grants to capitalize State loan programs for sewage treatment plant construction and other water quality projects. Under a revolving fund concept, monies used for such construction will be repaid by loan recipients to the States, to be recycled for future plant construction in other communities, thus providing an ongoing source of financing.

To support sewage treatment projects, the legislation authorized $18 billion in Federal aid, $9.6 billion in grants under the existing grant program through fiscal year 1990. This authorization continued Federal grants at annual level of $2.4 billion as initiated in 1981 when the Administration had proposed a 10-year grant program. The bill also provided $8.4 billion as seed money for State revolving loan funds, beginning in fiscal year 1989. The committee believed that implementation of the program would assist in making a transition toward full State and local financing responsibility in less than 10 years.

Another major initiative proposed a program to deal with "toxic hot spots," areas of waterways where toxic discharges continue to cause pollution problems, even after industries and cities achieve currently required pollution controls.

This provision represented another step in a progressive program to reduce toxic pollutant degradation of streams and lakes and support public health and water quality objectives of the Act.

Other program initiatives addressed water quality problems in the Nation's estuaries, the Chesapeake Bay, and the Great Lakes. In addition, the legislation contained provisions to clarify the Act's regulatory, permit, and enforcement programs. In particular, existing enforcement provisions are enhanced by increasing penalties for civil and criminal violations under the Act and by establishing a new administrative civil penalty mechanism.

The committee-reported legislation (S. 1128) was passed by the Senate in mid-1985, but other legislative priorities intervened, delaying agreement on the bill's final form until October, 1986. The Senate and House unanimously approved the reauthorization bill, but President Reagan pocket vetoed the bill, on November 6, after adjournment of the 99th Congress. As with President Nixon's disapproval of the 1972 legislation, President Reagan cited budgetary concerns as the principal reason for his veto.

The 1986 elections returned control of the Senate to the Democratic party. The committee's new chairman, Senator Quentin Burdick (D–ND), immediately declared Clean Water Act legislation as one of two items on which he would seek prompt action. (The other was the Federal-aid Highway Act on which a Senate-House conference had not reached agreement in 1986.)

Under the committee's leadership, the 1986 Clean Water measure was reintroduced at the beginning of the 100th Congress (1987–88) as S. 1. It was passed quickly, and the Senate and House overrode a second vote by President Reagan to enact the Water Quality Act of 1987 (P.L. 100–4).

CLEAN AIR

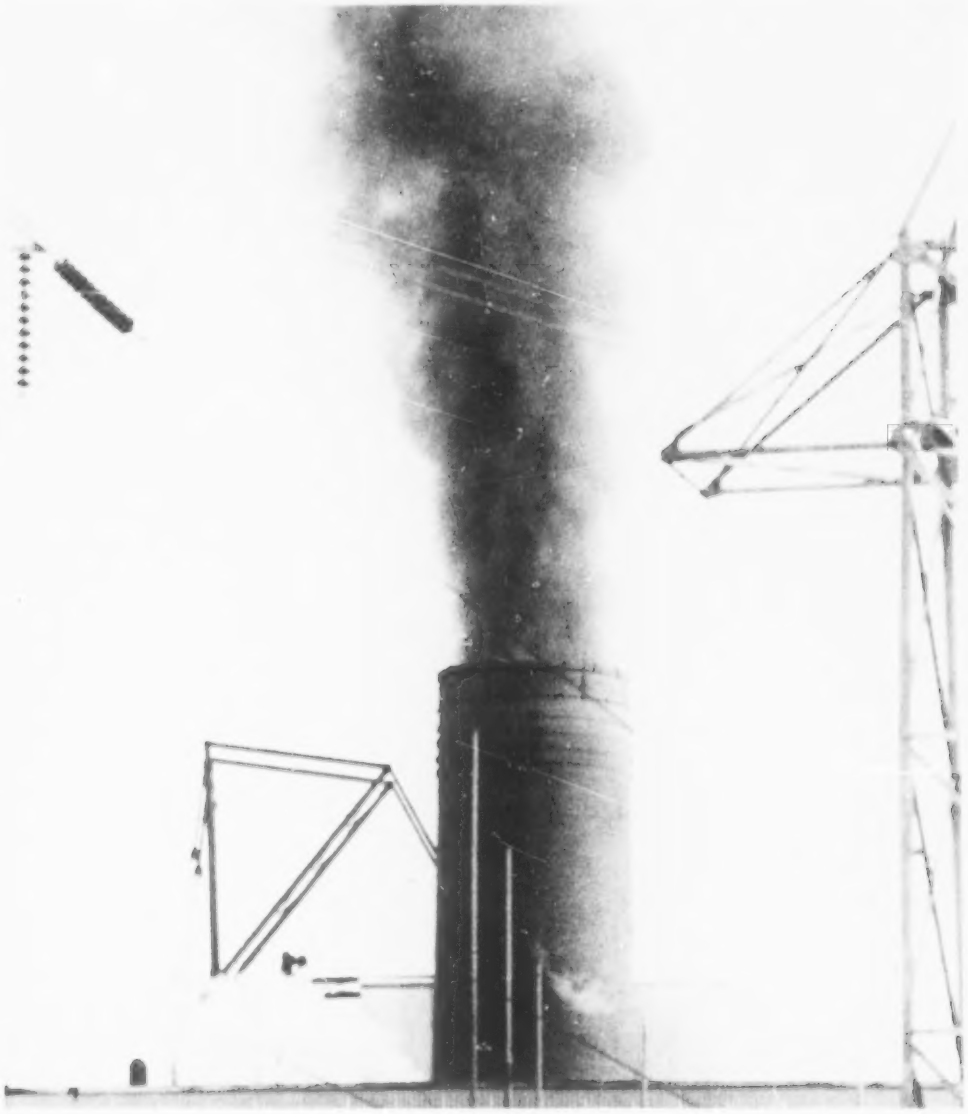
As early as the 1940s air pollution was recognized by the Congress as a problem. Technological development was competing with human health for air resources. Combustion processes—including the burning of coal to produce electricity and the burning of gasoline in automobiles—were emitting harmful pollutants like carbon monoxide, sulfur dioxide, nitrogen oxide and particulates into the air.

In the 1960's the White House provided aggressive leadership on most Federal issues. One exception was anti-pollution legislation, where the Congress was the source of most initiatives. In 1963, the Senate Public Works Committee created the Special Subcommittee on Air and Water Pollution with Senator Edmund Muskie (D–ME) serving as chairman and Senator J. Caleb Boggs (R–DE) as ranking minority member. The Public Works Committee's increasing emphasis on conservation of air and water resources paved the way for consideration of substantive policies to prevent pollution.

Air pollution control had long been a preserve of states and municipalities, and some localities undertook measures to control air pollution problems. After World War II, Pittsburgh's regulations cleaned-up the "Smoky City". Los Angeles sought ways to control its smog problem. But across the country, air pollution increased dramatically. Scientists and citizens became aware of the effects of air pollution on human health and the environment. Many communities were reluctant to impose controls, fearing that industry would relocate to areas without controls and jobs would be lost. As air pollution increased in all areas of the country, state laws proved to be an ineffective way to address the problem. It became apparent that a national approach was necessary.

The Federal Government's first attempt in dealing with air pollution was the Air Pollution Control Act of 1955, (P.L. 84–159) sponsored by Senator Thomas Kuchel (R–CA), which directed the Secretary of Health, Education and Welfare to conduct research on the causes and health effects of air pollution and to recommend programs for air pollution control. The Surgeon General was authorized to investigate specific pollution problems upon the request of state or local governments. The act provided for Federal research and assistance, but air pollution remained a state responsibility.

Following a similar rationale, the Motor Vehicle Act of 1960 (P.L. 86–493) authorized research into the health effects of pollution from automobiles and possible methods for controlling air pollution.



Harmful pollutants pouring from smokestacks were targeted for drastic reduction under the Clean Air Act. (Environmental Protection Agency)

The Federal effort to regulate air pollution began in September, 1963, when the Special Subcommittee on Air and Water Pollution held hearings throughout the country. In December the Committee on Public Works unanimously reported an air pollution bill (S. 432) amending the 1955 Act. There was little debate and the bill passed the Senate by voice vote. After reconcilation with the House version, it became the Clean Air Act of 1963 (P.L. 88–206). These amendments expanded the research and technical assistance provisions of the 1955 Act and took the important step of providing grants to states to develop or improve programs to control air pollution. The Department of Health, Education and Welfare (HEW) was directed to develop air quality criteria based on pollutant levels which caused adverse health effects. The states could then voluntarily use these criteria to regulate sources of air pollution.

The 1963 Act, however, provided only limited Federal regulatory authority for air pollution abatement. The Secretary of HEW was empowered to convene a conference of state and local pollution authorities to deal with interstate air pollution problems. For air pollution problems which were only of *intrastate* concern, the Secretary could call such a conference only at the request of the Governor of an affected state. Once convened, the conference could issue technical reports and recommend action to be undertaken by state and local authorities. If the conference was called in response to an *interstate* problem, and if recommended action was not undertaken by the appropriate states within six months, the Secretary could request the Attorney General of the United States to bring suit to abate the pollution. By 1970, only a dozen conferences had been held and only one enforcement action was brought in court.

In 1965 the Subcommittee on Air and Water Pollution extended the new Federal air pollution control effort to automobiles. The Motor Vehicle Air Pollution Control Act of 1965 (P.L. 89–272) directed the Secretary of HEW to develop emissions standards for new motor vehicles and motor vehicle engines.

By 1967 there was general agreement that current local and state efforts to curb air pollution were inadequate. The Air Quality Act of 1967 (P.L. 90–148), which passed the Senate 88 to 0, provided the first comprehensive Federal air pollution control by establishing ambient air quality standards. The 1967 Act required the adoption of regional air quality standards based on Federal air quality criteria. A major feature of the 1967 Act was the Federal preemption of the authority of the states—with the sole exception of California—to establish automobile emission standards.

Public support for environmental legislation was on the upswing in the late 1960s. Disagreement emerged among those seeking to protect the environment about whether a state, regional or national approach should be applied. Senator Muskie favored the regional approach, which was contained in the Air Quality Act.

The Department of Health, Education and Welfare was directed to designate broad "atmospheric regions" of the country, where meteorological conditions, topographical features, and other conditions were similar. HEW also was directed to designate air quality regions according to local jurisdictional boundaries with similar industrial conditions. States were required to adopt state implementation plans (SIPs) which outlined in plans by which they would achieve the air quality standards. In practice, the regional approach was slow and ineffective. States and localities objected when HEW-designated regions cut across recognized state, county, municipality and other political subdivision lines. It was difficult to get different political units to reach agreement on implementation plans.

Other influential leaders of the time, including President Lyndon Johnson, favored national emission standards for major stationary sources of air pollution, such as factories and power plants. The Air Quality Act of 1967 directed HEW to report within three years on national emission standards. When issued three years later, the report recommended national emission standards for new stationary sources of pollution. This approach was incorporated into the Clean Air Act Amendments of 1970 (P.L. 91–604) and is the framework for other environmental laws.

Responsibility for carrying out most environmental programs was consolidated in 1970 when President Nixon created the Environmental Protection Agency. Responsibility for the Clean Air Act thus was shifted from the Department of Health, Education and Welfare.

It was the act of 1970 that defined the existing air pollution control program. The Clean Air Act has been amended three times since then, in 1974, 1977, and 1981. The first of these, in 1974, consisted of a provision in the Energy Supply and Environmental Coordination Act, stimulated by the oil embargo of that period, relating to the conversion of oil burning facilities to coal. The 1977 legislation was reviewed as the "mid-course correction" of the 1970 Act. in 1981 the Congress approved limited legislation (P.L. 97–23) providing case-by-case extensions of deadlines for steelmaking facilities seeking to modernize their operations.

Despite the amendments, the basic principles of the 1970 Act still apply. The fundamental goal of the Clean Air Act is to protect public health and the welfare of the environment from the harmful effects of air pollution. There were two important underlying assumptions to the 1970 act. The first was that setting strict mobile source emissions standards would help to force the development of the necessary pollution control technology. The second was that States would be able to achieve the national air quality standards within five to six years.

Several sections of the Clean Air Act are of major significance. section 109 directs the Administrator of the Environmental Protection Agency (EPA) to publish National Ambient Air Quality Standards (NAAQS) based on the health and welfare criteria issued under section 108. Criteria pollutants are those selected by the Administrator based on "criteria documents" and currently include carbon monoxide, nitrogen oxides, sulfur oxides, ozone, lead, and particulate matter. The Administrator is to set *primary* ambient air quality standards which are protective of human health and allow an "adequate margin of safety." *Secondary* national ambient air quality standards are to be established at a level that protects visibility, damage to buildings, materials and plants, and other aspects of "the public welfare".

Section 110 requires States to develop State Implementation Plans (SIPs) to limit emissions within air quality regions (set forth under section 107) to assure attainment of the Federal NAAQS standards by the date specified in the law. The Administrator is to review and approve or disapprove SIPs within the statutory deadline. If a State plan is judged inadequate, the Administrator must promulgate a State plan that will bring the State into compliance with Federal standards.

Section 111 of the Clean Air Act directs the Administrator to establish nationally applicable emission limitations for large new stationary sources, such as factories, smelters, and powerplants. These New Source Performance Standards (NSPS) are established to limit the emission of pollutants into the air from new or modified major stationary sources. The standards are to represent the application of best control technology that has been demonstrated to be available. The uniform standards also prevent any advantage that a state with less demanding standards might have in attracting industry. While NSPS limit emissions from new sources, states control pollutant emissions from existing stationary sources through SIPs.

Section 112 of the Clean Air Act directs the Administrator to establish limits for the emission of hazardous pollutants into the ambient air. A pollutant is defined as hazardous if, in the judgment of the EPA Administrator, it "causes, or contributes to, air pollution which may reasonably be anticipated to result in an increase in mortality or in an increase in serious irreversible, or incapacitating reversible, illness." The purpose of this section is to control or eliminate extremely dangerous hazardous pollutants from relatively few sources. Standards for hazardous air pollutants are to be set at a level which will protect human health with an ample margin of safety.

Section 113 of the Clean Air Act provides Federal enforcement authority greatly strengthened from the earlier cumbersome conference procedure. The Administrator oversees enforcement of a State implementation plan if the state systematically fails to enforce it. The Administrator is authorized to seek an injunction or issue an administrative order to mandate compliance with standards for new sources or sources of hazardous pollutants. Knowing violations of enforcement orders or Federal emissions limits are subject to civil fines and imprisonment. Sale or distribution of motor vehicles in violation of the Act could result in civil penalties. Section 304 authorizes citizen suits against pollution sources which exceed the emission standards as well as against EPA's administration of the Act.

The Motor Vehicles Emissions Control Act of 1965 (P.L. 89–272) authorized uniform Federal controls to reduce emissions from vehicles. However, that act left the Secretary of Health, Education, and Welfare broad discretion to determine a timetable for the reductions. Section 202 of the Committee's 1970 clean air bill required that automobiles achieve 90 percent reduction in emissions by 1975–1976. Although there was no assurance that appropriate control devices could be designed and installed on cars within the period of five years, strict standards and deadlines would help "force" the development of an appropriate control technology.

The Senate, by a vote of 73–0, passed the Clean Air Act as reported by the Public Works Committee, including section 202. The compromise reached between the House and the Senate, the conference report on the Clean Air Act, required automobiles to meet the emissions standards by 1975.

During the 94th Congress (1975–76) the committee developed legislation (S. 3219) substantially revising the Clean Air Act. The bill proposed changes in automobile emission standards and provided an additional two years for achieving them. A major effort was made to create a congressional policy for protecting areas where the air was clean. This nondegradation policy was the subject of extensive hearings in 1973, 1974 and 1975. The committee bill required that certain lands be reserved for special protection and established precise limits for pollutant increases in these areas.

Other portions of the bill addressed issues in the full spectrum of air quality protection. The measure was adopted by the Senate by a vote of 78–13 on August 3, 1976. The House of Representatives took similar action and a conference report on the agreed bill went before the Senate on September 30. A filibuster against

the bill was carried out in the closing days of the session, however, by Senators opposed to provisions intended to protect clean air areas. This action precluded Senate action on changes to the statute, and the effort was started anew in the following year.

Major amendments to the Clean Air Act in 1977 (P.L. 95–95) incorporated several new features, including a "nondegradation" or "clean growth" policy to prevent the significant deterioration of air quality in areas where the air is cleaner than the ambient air quality standards. The country was divided into three classes. Specified increments of new emissions are allowed according to how the region was classified. Class I consists of areas where pristine air quality and visibility are especially important, such as in national parks, monuments and wilderness areas. Only very small increments of new emissions are allowed in Class I areas. All other clean air regions were initially placed in Class II. States may reclassify any area as Class I, and may reclassify some areas as Class III, which allow the greatest incremental increase in emissions. Prevention of significant deterioration (PSD) permits are required for construction of facilities in Class I areas to preserve their exceptional air quality.

The 1977 amendments provided guidelines for construction of new facilities in areas where ambient air quality standards have not yet been attained. New facilities are required to meet the lowest achievable emissions rate (LAER) and existing facilities install the best available control technology (BACT). Both must meet other State implementation plan requirements.

The 1977 amendments also require EPA to establish National Emission Standards for Hazardous Pollutants (NESHAPS) for substances such as asbestos, berylium, mercury and vinyl chloride, where even extremely small emissions are toxic.

The Clean Air Act Amendments of 1977 also set new attainment deadlines for regions which had been unable to attain NAAQS standards. Extensions of up to five years (1982) were provided for all areas that had not met the NAAQS. A further 5-year extension (1987) was provided for areas that did not meet NAAQS for ozone and carbon monoxide.

Areas not meeting the standards in 1982 had to agree to additional control measures, including vehicle inspection and maintenance, in order to receive an extension from EPA.

In December, 1987, the Congress delayed sanctions for areas that had failed to attain ozone and carbon monoxide standards from the December 31, 1987, deadline until August 31, 1988. Approximately 100 areas had not met carbon monoxide or ozone standards. With continued rapid growth, nonattainment problems were expected to continue.

Since enactment of the original Clean Air Act, new issues relating to air quality emerged to require congressional and public attention. Some were addressed and responses included in the statute. Successful solutions, however, eluded other questions on which action had been sought.

The most prominent of these was the extremely complex and controversial issue of acid rain. During the 1980's, the committee continued its efforts to devise legislation that would reduce acid precipitation levels. Bills were introduced and reported by the committee to the Senate three times, but none was enacted.

Of more recent vintage was the concern over indoor air pollution. While the Clean Air Act in general is concerned with the release of pollutants into the ambient atmosphere, growing pressure developed for the committee to institute the regulation of the air within buildings where many believed the impact on health and worker productivity to be substantial.

In November, 1987, the committee reported S. 1894, a comprehensive bill amending the Clean Air Act. This five title proposal contained provisions on ozone and carbon monoxide nonattainment, acid rain and clean coal technology, mobile sources, ambient air quality standards, hazardous air pollutants and incinerator standards. In July, 1988, the committee reported S. 1629, the Indoor Air Quality Act of 1987. Despite efforts to develop an acceptable compromise, the Senate did not act on comprehensive clean air legislation before the 100th Congress adjourned in October of that year.

SOLID WASTE

The way in which jurisdictional authority can evolve is well illustrated by the development of the Solid Waste Disposal Act within the Committee on Environment and Pubilc Works.

That broad-ranging statute today controls much of the Federal involvement in the regulation of hazardous materials as well as the disposal of municipal wastes—the "garbage" of modern American society. Development of the Act began when the Committee recognized in the early 1960s that current methods of incinerating wastes were both unsightly and posed threats to air quality.

The vehicle chosen to address this problem was the Clean Air Act, over which the Committee already exercised jurisdiction. On January 7, 1965, Senator Edmund Muskie, chairman of the Subcommittee on Air and Water Pollution, together with 25 other Senators, introduced a bill, S. 306, proposing amendments to the Clean Air Act. Title II of the proposal, entitled the "Solid Waste Disposal Act," addressed the growing problem of municipal waste disposal.

As enacted, in October of that year, the new law (P.L. 89–272) encouraged state and local governments to undertake comprehensive planning processes to improve waste disposal. The Act provided for a national research, development and grant assistance program to help in this effort.

The first major revision to the Solid Waste Disposal Act took place in 1970. Entitled the Resource Recovery Act of 1970 (P.L. 91–512), it reflected enhanced public awareness of waste disposal issues and interest in the benefits of recycling activities. Title II of the Act established a National Materials Policy, to "utilize present resources and technology more efficienlty, to anticipate the future materials requirements of the Nation and the world, and to make recommendations on the supply, use, recovery, and disposal of materials."

Toxic wastes as a distinct and special disposal problem were first addressed in this Act. The Secretary of Health, Education and Welfare was directed to develop a comprehensive report and plan "for the creation of a system of national disposal sites for the storage and disposal of hazardous wastes including radioactive, toxic chemical, biological, and other wastes which may endanger public health or welfare". The report that emerged was the starting point for the development of the hazardous waste management provisions in the 1976 amendments to the act.

The Solid Waste Disposal Act was substantially rewritten into its current form with enactment of the comprehensive Resource Conservation and Recovery Act of 1976, (P.L. 94–580). The Act, initiated by committee Chairman Jennings Randolph (D–WV) and Senator Gary Hart (D–CO), established a major Federal regulatory program for "cradle to grave" hazardous waste management in subtitle C. Subtitle D addressed municipal solid waste disposal. The Act elevated management of the program within the Environmental Protection Agency (EPA) to the level of the Office of Solid Waste, administered by a deputy assistant administrator.

The 1976 amendments officially placed the Environmental Protection Agency in a standard-setting role for determining safe methods of waste disposal. However, emphasis was placed on delegation of responsibility to States for implementation and enforcement activities. The new law required the Agency to develop standards and a permitting system within 18 months applicable to hazardous waste generators, transporters, and owners and operators of disposal facilities. States able to demonstrate the capability to administer hazardous waste programs became eligible for grant assistance. A system of civil and criminal penalties was included to discourage noncompliance with hazardous waste standards.

Subtitle D required the Environmental Protection Agency to develop criteria for sanitary landfills and guidance for State management plans. State grants were authorized for implementation of eligible State plans, which were required to provide for the elimination of open dumps within five years. These grants were instrumental in the creation of many State solid waste management programs.

The goals of resource recovery and recycling contained in earlier versions of the Solid Waste Disposal Act were retained in the 1976 measure. A series of research projects and studies were mandated regarding the feasibility of separating and recycling elements of the waste stream.

Minor changes to the Solid Waste Disposal Act were adopted in 1978 (P.L. 95–609) and in 1980 (P.L. 96–482) as part of its reauthorization. The amendments were for the most part refinements of the Resource Conservation and Recovery Act provisions.

For six years beginning in 1981, solid waste legislation was the responsibility of the Subcommittee on Environmental Pollution chaired by Senator John Chafee (R–RI). Oversight hearings were conducted and the committee reported major legislation to reauthorize the Act in 1982. This effort carried over to the 98th Congress (1983–84), culminating in enactment of the Hazardous and Solid Waste Amendments of 1984, (P.L. 98–616). This legislation set an entirely new direction

for the hazardous waste program, prohibiting land disposal of many types of waste, setting minimum technology requirements for waste management facilities and involving the Congress more deeply in technical decisions that had previously been left to the discretion of EPA.

During deliberation of the Superfund legislation in 1980, it became evident that open dumps and landfills are a primary source for National Priority List Superfund sites. As a result, stringent requirements governing land disposal of hazardous wastes were written into the 1984 amendments. In addition to promulgating explicit technological landfill and surface impoundment construction and monitoring standards, the Environmental Protection Agency was directed to review specific hazardous wastes for possible prohibition from some or all methods of land disposal. The list of wastes written into law was derived from a similar list adopted by the State of California in development of State program regulations. In addition, the EPA is required to review all listed hazardous wastes by 1990 to determine whether to ban them from land disposal.

One of the most extensively debated matters in 1984 concerned "small quantity generators" of hazardous waste. Resource Conservation and Recovery Act provisions did not distinguish between large and small quantity generators of hazardous waste as a criterion for regulation. Standards promulgated by the EPA, however, excluded generators of less than 1,000 kilograms of hazardous waste per month from coverage. Estimates at the time indicated that 15 million metric tons per year of hazardous wastes were exempt from regulation on the basis of the "small quantity generator" exclusion. As part of the conference agreement, regulation of hazardous wastes was extended to generators of 100 kilograms per month or more.

Provisions were adopted in 1984 requiring regulation of underground storage tanks containing gasoline and other hazardous substances. Underground tanks previously had been exempt from Federal regulation. The 1984 Act responded to growing evidence that leaking underground tanks are a common and pervasive source of ground water contamination by requiring the development of standards for underground storage tanks. In addition, as part of the Superfund Amendments Act of 1986 (P.L. 99–499), a trust fund was established to support corrective actions necessitated by leaking underground tanks.

Subtitle D provisions were also strengthened. Specifically, the Environmental Protection Agency was required to revise existing guidelines for the construction, monitoring and corrective response actions for municipal landfills. States are required to adopt permitting or certification programs to assure that facilities within the State comply with revised guidelines.

As a matter of national policy, the concept of hazardous waste minimization was incorporated into the 1984 amendments. Expeditious reduction and elimination of hazardous waste whenever feasible is a stated objective.

Committee oversight of the Solid Waste Disposal Act continued in the 100th Congress (1987–88) in anticipation of reauthorization of the Act. The newly-organized Subcommittee on Hazardous Wastes and Toxic Substances, under the

chairmanship of Senator Max Baucus (D–MT), conducted a series of hearings on waste disposal issues. Federal and State resources, enforcement and implementation issues were of ongoing concern. Exemptions in the law and regulations which exclude many wastes, disposal and recycling activities received scrutiny.

As attention and resources were concentrated on hazardous waste management in the 1980s, progress slowed in the area of municipal waste. States had not received grant funding for solid waste programs since 1981. Municipal waste disposal problems began to receive renewed attention, particularly since disposal capacity became a major concern in some areas of the country.

In 1987, the attention of the nation was drawn to a garbage barge that set out from New York on a bizarre odyssey in search of a disposal site. After three months at sea and numerous refusals by coastal States and foreign countries to accept and dispose of its contents, the barge and garbage returned to New York.

Spurred by public sensitivity to the siting and construction of traditional disposal facilities, many communities, municipalities and States were forced to examine innovative solutions to waste disposal problems. Renewed interest also developed in resource recovery and recycling activities. Strict recycling programs were adopted in several States and local jurisdictions. This approach combined with new technological advances in waste management techniques may form the basis for further revisions to the Solid Waste Disposal Act.

Late in the 100th Congress Senator Baucus introduced legislation (S. 2773 and S. 2774) proposing major refinements in the Act. The bills provided new standards for reducing and recycling waste, for safe management of wastes and for improved State assistance. Hearings were held and further consideration of the legislation was anticipated in the 101st Congress (1989–90).

The Solid Waste Disposal Act is the principal regulatory statute governing waste disposal activities. However, most of the environmental statutes within the committee's jurisdiction further address aspects of waste disposal. The committee in 1988 recommended an amendment to the Clean Air Act that would establish new requirements for control of air emissions and disposal of ash from municipal incinerators. The Clean Water Act restricts discharge of pollutants into surface and ground water. Underground injection activities are regulated under the Safe Drinking Water Act. Title I of the Marine Protection, Research and Sanctuaries Act governs ocean disposal and incineration activities. Radioactive waste disposal is regulated under the Nuclear Waste Policy Act.

NUCLEAR REGULATION

Prior to 1977, the responsibility within the Congress for the control, development, and regulation of nuclear energy rested with the Joint Committee on Atomic Energy. As part of the reorganization of the Senate committees at the outset of the 95th Congress (1977–78), the Senate abolished the joint committee and assigned to the Committee on Environment and Public Works jurisdiction over the "nonmilitary environmental regulation and control of atomic energy." Other aspects of nuclear affairs were delegated to the Committee on Energy and Natural Resources and the Committee on Armed Services.

The Subcommittee on Nuclear Regulation has the responsibility within the committee for conducting hearings and initiating legislative action on nuclear issues. Senator Gary Hart (D–CO) was the first chairman of the subcommittee. In 1981, when Republicans assumed control of the Senate, Senator Alan K. Simpson (R–WY) assumed the subcommittee chairmanship. After Democrats regained a majority in the Senate, Senator John B. Breaux (D–LA) became the subcommittee chairman in 1987.

The committee's involvement in the area of nuclear regulation encompasses both legislative and oversight activities. This authority has centered largely on the operations of the Nuclear Regulatory Commission (NRC), which is responsible for licensing and regulating commercial, nonprofit, and educational facilities using nuclear materials (this responsibility originally rested with the Atomic Energy Commission, which was abolished in 1974), and facilities designed for the storage or disposal of nuclear waste. The NRC's statutory mandate is to ensure that the use or presence of such materials poses no undue risk to the public health and safety or human environment.

Since the committee received jurisdiction over nuclear matters, two committee staff members have been appointed by the President and confirmed by the Senate to serve on the five-member NRC. James K. Asselstine served as a commissioner from 1982–87. James R. Curtiss became a commissioner in October, 1988. Another Senate staff member, Frederick M. Bernthal, was a commissioner from 1983–88. Prior to his appointment to the NRC, Bernthal had been employed by Senator Howard H. Baker Jr. (R–TN) to assist him on nuclear matters.

The committee's legislative activities have primarily concerned the issues of plant safety, nuclear waste disposal and liability and compensation in the event of a nuclear accident. Despite nearly 35 years of experience with the peaceful uses of the atom, these issues, involving both science and politics, have remained complex and controversial.

The accident at Three Mile Island in March, 1979, focused national attention on the issues within the committee's jurisdiction. The accident raised serious questions about the adequacy of the Federal Government's ability to regulate the nuclear industry to protect the public health and safety. The committee requested and obtained from the Senate additional funds to investigate the causes and implications of the accident.

Fifteen temporary staff members were employed to conduct the investigation, which was directed by the Subcommittee on Nuclear Regulation. A year later, the committee reported deficiencies in the NRC's regulatory program and in the conduct of the utility operating Three Mile Island prior to the accident. The deficiencies related to both technical and human factors. The report contained numerous recommendations to improve the Federal regulatory program.

In the spring of 1979, just after the accident, the committee addressed in the NRC authorization bill for fiscal year 1980 several of the deficiencies in the agency's regulatory program that had been identified by the committee and other studies of the accident. The bill included provisions to improve the communications between licensees and the NRC in the event of an accident, improve the training and qualifications of nuclear power plant operators, and improve the ability of utility, local, state, and national officials to respond in the event of an emergency.

The Three-Mile Island power plant was the scene of the Nation's worst nuclear accident which resulted in a major Committee investigation and corrective legislation. (Nuclear Regulatory Commission)

One of the most controversial provisions in the bill reported by the committee would have required each operating nuclear powerplant and each applicant for a license to have an NRC-approved State emergency response plan and NRC to promulgate minimum requirements for State emergency plans within six months. The bill would have required the NRC to shut down any facility that did not have an approved State emergency plan.

This provision was modified in the full Senate by the "Hart-Simpson" amendment, which extended the amount of time after enactment of the bill in which a licensee would have to comply with its provisions, and contained several other changes to satisfy various concerns of committee members. It did not alter the basic requirement for an approved State emergency response plan as a condition for operation. This basic requirement was opposed by Senators who contended that it would provide the States with the ability to "veto" the licensing and operation of nuclear powerplants through their refusal to participate in the development of emergency response plans. An amendment that would direct the Federal Emergency Management Agency (FEMA) to develop interim emergency response plans in the event of a failure by a State to develop an adequate plan was offered but defeated by a vote of 40–37.

This concern resurfaced in the House-Senate conference on the legislation. As a compromise, the final 1980 authorization act (P.L. 96–295) required approved state or local emergency plans as a prerequisite for the granting of an operating license, but provided that in the absence of such a plan the NRC could issue a license if it found that a State, local, or utility plan provided reasonable assurance that public health and safety would not be endangered by operation of the facility concerned.

Two of the Committee's jurisdictions were utilized in a 10-year effort which resulted in this consolidated headquarters building for the Nuclear Regulatory Commission in Rockville, MD. (Nuclear Regulatory Commission)

This provision and the appropriate role of State and local governments in nuclear emergency planning and preparedness have remained controversial. The question of emergency planning precipitated major disputes involving two large nuclear powerplants, Seabrook in New Hampshire and Shoreham on Long Island, New York. Local and interstate failure to agree on emergency plans and procedures has so far prevented both of these facilities, on which construction is virtually

completed, from becoming operational. Owners of the Seabrook plant continue to seek licensing from the NRC despite the absence of complete State or local emergency plans. Long Island Lighting Co., owner of Shorham, has agreed to sell the facility to the State of New York and awaits the State legislature's approval of the plan.

The Three Mile Island accident also led to committee consideration of 1981 of legislation relating to expenses for cleaning up the damaged plant. The bill provided for sharing cleanup expenses among the Federal Government, the Commonwealth of Pennsylvania and the owner of the damaged reactor. The bill (S. 1606) was seen as an expression of congressional viewpoint that would facilitate fiscal participation by the owner in the cleanup. In an unusual action, the bill was reported by the committee on August 13, 1982, without a recommendation to the Senate. No further action was taken on the measure.

Another outcome of the Three-Mile Island accident was the attention focused on the scattered nature of the NRC's headquarters operations in the Washington area. Reports on the accident noted that NRC offices, located at several places in Washington and the Maryland suburbs, were hampered in carrying out the agency's mission due to their diverse locations. These reports and the committee recommended consolidation of the agency as a high priority.

The committee addressed this issue through its jurisdiction over public buildings. Consequently, the committee—and its counterpart in the House of Representatives—approved in 1980 the consolidation of NRC in a new government-owned building to be constructed in Silver Spring, Maryland. Reluctance of NRC commissioners to move to the suburbs and the lack of construction financing led to the abandonment of this effort.

After other approaches to consolidation were attempted, an agreement was reached in late 1986 on the purchase of a new building in Rockville, Maryland, under a new property acquisition program instituted by the General Services Administration. In the spring of 1988 approximately 60 percent of the NRC staff moved into the new structure. The remainder of the agency will occupy a second, adjacent building.

In the late 1970s, it became apparent that the Nation's existing capacity to temporarily store the highly radioactive waste produced in nuclear power plants was being exhausted. The development of permanent sites for the disposal of nuclear waste became a national priority. Major efforts to address this issue legislatively began in the 96th Congress (1979–80).

The Committee on Environment and Public Works reported an original bill (S. 2980) in July, 1980, to establish a procedure for the siting, licensing, and operation of a permanent disposal site for high-level nuclear waste. The Senate Committee on Energy and Natural Resources developed a separate bill (S. 2189) emphasizing interim storage and monitored retrievable storage for spent nuclear fuel. This bill was passed by the Senate, but there was no further action.

A major feature of the Environment and Public Works bill was the principle that the siting process should, to the fullest extent practical, comply with the

requirements of the National Environmental Policy Act of 1969 (NEPA) (P.L. 91–190). Specifically, to satisfy the NEPA requirement of the consideration of alternate sites, the bill directed the consideration of at least four alternate sites in at least three different geologic media.

Although both the Senate and the House passed nuclear waste bills in the 96th Congress, the two houses were unable to resolve their differences over the respective priorities to be placed on permanent disposal and monitored and retrievable temporary storage away from the reactor sites. The high-level waste issues therefore were carried into the 97th Congress (1981–82).

Even though the two houses were at an impasse on the high-level waste issues, they were able to agree on the low-level radioactive wastes portion of the bill. Both the Senate and House bills in the 96th Congress addressed the issue of low-level radioactive waste disposal by incorporating into their high-level waste bills a regional approach recommended by the States.

Thus, in December, 1980, Congress passed the Low-Level Radioactive Waste Policy Act of 1980 (P.L. 96–573), which established a national policy that each state would be responsible for the disposal of low-level radioactive waste generated within its borders, and encouraged States to enter into regional compacts to accomplish this disposal on a regional basis.

Congress returned to the high-level waste issue in the 97th Congress (1981–82). This time, both Senate committees had agreed to join in developing a single bill, S. 1662, introduced by Senator James McClure (R–ID), chairman of the Committee on Energy and Natural Resources. The measure was referred to both committees, and joint hearings were conducted. Each committee filed its own report on the bill. Despite this cooperation, it took both sessions of the 97th Congress for both houses to agree on a national nuclear waste policy.

The Nuclear Waste Policy Act of 1982 (P.L. 97–452) which was signed by the President on January 7, 1983, directed the Department of Energy (DOE) to establish guidelines for repository site selection, search for, and then study three sites in detail (termed "site characterization") to support the selection of one of the sites for the first permanent repository. Concurrently, a national search was to be conducted for three suitable sites to be characterized for a second repository. After the selection of a site, DOE would be required to obtain a license from NRC prior to the initiation of construction of the repository.

Significant provisions in the bill reported by the Committee on Environment and Public Works were included in the new waste act. The requirement of a second repository, to be located with consideration of "regional distribution" for the repositories, and the limit of 70,000 metric tons on the legal capacity of the first repository, were originated by the committee. The committee also had substantial influence on the guidelines for the site selection and the site selection and the manner in which NEPA requirements would apply to the site selection process.

Both the low level and high level waste acts were amended within a few years of their enactment. By the summer of 1985 it was apparent that the deadline of January 1, 1986, for the establishment of new low-level waste disposal sites would not be met. Again, separate bills were developed by the interested committees, S. 1578 by Environment and Public Works and S. 1517 by Energy and Natural Resources. The two groups eventually merged their proposals into an amendment to the House companion bill and it became law on January 15, 1986.

In the Low-Level Radioactive waste Policy Amendments Act of 1985 (P.L. 99–240), the Congress extended the deadline for the development of new disposal facilities by another seven years, but imposed milestones toward the development of new sites in the interim, penalties for missing the milestones, and surcharges upon waste requiring disposal in the existing disposal sites during the extended period.

Led by Chairman Robert T. Stafford (R–VT) and Senator Simpson, the Committee on Environment and Public Works was actively involved in fashioning the legislative compromise between the States with and without disposal facilities. The key provision imposing direct liability upon a state for failure to provide disposal capacity by 1996, which is designed to prevent a State from avoiding its responsibilities by inaction, originated in the committee.

The Department of Energy's announcement in May, 1986, that it was suspending the search for the second repository damaged congressional support for that agency's implementation of the Nuclear Waste Policy Act. It led to a myriad of legislative proposals in 1986 and 1987 to refashion the high-level waste program.

The programmatic redirection adopted by the Congress in late 1987 identified the Yucca Mountain site in Nevada as the sole candidate site for the first repository, cancelled the second repository program, and authorized the construction of a monitored retrievable storage facility, subject to a number of restrictions. This redirection was developed and accomplished during the consideration of the reconciliation and appropriations bills, thereby bypassing the authorizing committees with jurisdiction over these issues.

Members of the committee strongly objected to the consideration of such major legislation on an appropriations bill or during reconciliation. The Environment and Public Works Committee, under the leadership of Senators Breaux and Simpson, had prepared a proposal that the committee considered more consistent with the original high level waste act. It provided for additional study at each of the three first repository candidate sites and the application of the National Environmental Policy Act prior to the selection of a single site, which would have required the consideration of these alternative sites in an environmental impact statement. Members of the committee warned that selecting a single site prior to careful study and analysis would sacrifice science to political expediency. These arguments did not succeed, as the committee's proposal was defeated when offered as an amendment to the Energy and Water Appropriations Bill.

The Environment and Public Works Committee also has been involved with legislation to amend and reauthorize the Price-Anderson Act, which governs liability and compensation in the event of an accident at a commercial nuclear

powerplant or involving a DOE contractor using nuclear materials. In the 99th and 100th Congresses (1985–88) the committee reported bills to extend and increase by nearly tenfold from the law as it then existed (pursuant to the 1975 amendments) the amount of funds that would be available to victims of a nuclear accident—over $7 billion—while retaining the limit on liability of those involved in the accident. On August 20, 1988, the President signed legislation (P.L. 100–408) implementing such an increase and extending authority under the act until August 1, 2002.

During the 100th Congress (1987–88) the Subcommittee on Nuclear Regulation held a number of hearings on the organization of the NRC. In addition, in response to allegations of impropriety by the NRC, the subcommittee conducted an investigation into and held hearings on the NRC's ability to objectively and independently regulate the nuclear power industry. Information gathered from these hearings and from the subcommittee's investigation, together with longstanding concerns of members of the committee regarding the structure of the NRC, led the committee to develop a bill (S. 2443) to reorganize the NRC.

The most prominent feature of the reorganization proposal was the abolition of the commission format and its replacement by an agency headed by a single administrator. Transforming the NRC into an agency with a single administrator had been a major recommendation of the President's Commission on Three Mlle Island ("Kemeny Commission") and also of the NRC Special Inquiry Group on Three Mile Island ("Rogovin Report").

The bill also created an independent Office of Inspector General and a statutory Office of Investigations within the agency. A Nuclear Reactor Safety Investigations Board, modeled after the National Transportation Safety Board, was created and directed to investigate significant safety-related events.

The bill passed the Senate in August, 1988, by a vote of 89–6. No action was taken in the House of Representatives.

FISH AND WILDLIFE

The 1977 consolidation of the committee's environmental jurisdiction brought with it responsibility for the fish and wildlife programs of the Federal Government. As a result, the committee almost immediately was plunged into some of the most controversial legislative issues of the time.

The new jurisdictions, particularly the requirements of the Endangered Species Act, affected construction and developmental programs which were a part of the committee's traditional duties. So, during the period when the committee was absorbing its new jurisdictions, it was called on to address conflicts between them and other programs.

As part of its own restructuring in 1977, the fish and wildlife jurisdiction was assigned to the newly-created Subcommittee on Resource Protection chaired by Senator John Culver (D–IA) with Senator Malcom Wallop (R–WY) as ranking minority member.

Creatures of the far north, these caribou are among the many animals affected by programs under the jurisdiction of the Committee on Environment and Public Works. (Fish and Wildlife Service)

The Federal fish and wildlife laws within the committee's jurisdiction may be classified in five general categories as those that (1) regulate fish and wildlife takings, such as the Migratory Bird Treaty Act and Atlantic Striped Bass Conservation Act; (2) regulate commerce in fish and wildlife and fish and wildlife products, such as the Lacey Act; (3) provide for the acquisition and management of fish and wildlife habitat, such as the Emergency Wetlands Resources Act and Refuge Administration Act, (4) provide Federal grants-in-aid to state fish and wildlife programs, such as the Fish and Wildlife Conservation Act of 1980; and (5) provide regulation of activities that adversely affect fish and wildlife, such as the Endangered Species Act.

The Endangered Species Act

The first major fish and wildlife legislation undertaken by the Committee was amendments to the Endangered Species Act of 1973. The 1973 Act built upon two earlier versions of the law passed in 1966 and 1969 and upon an international treaty, the Convention on Trade in Endangered Species of Wild Fauna and Flora. The statute was a response to increasing concern that the existing framework of fish and wildlife laws was not adequate to forestall major losses of plant and animal species in the near future. It was a comprehensive effort to prevent such extinctions by restricting takings, controlling commerce, authorizing habitat acquisition, and regulating Federal actions that would jeopardize the continued existence of species in danger of becoming extinct.

In May, 1977, shortly after receiving the new jurisdiction, the committee approved legislation to extend the spending authorizations for Federal grants to States under the 1973 Endangered Species Act. As finally enacted, the measure (P.L. 95–212)

established higher funding levels for this program and modified requirements for the States to receive Federal assistance.

In the following year, the committee was called on to consider major changes in the Endangered Species Act. The issue was brought to a head by a previously little known fish which threatened to halt a major construction project.

The tiny fish was the snail darter, which had been designated an endangered species. Its only known habitat apparently was a part of the Tellico River scheduled to be flooded by the lake behind a dam being constructed by the Tennessee Valley Authority (TVA). The dam was virtually completed and opponents moved to prevent its use by envoking the Endangered Species Act to avoid the potential demise of the snail darter.

Another threatened project was the Grayrocks Dam in Wyoming which was said to endanger the habitat of the whooping crane.

The committee, which also has jurisdiction over TVA, examined the conflict at length and finally agreed to legislation to provide greater flexibility in administration of the Endangered Species Act. The proposal, initiated by Senators Culver and Wallop together with Committee Chairman Jennings Randolph and Senator Howard H. Baker, Jr. (R–TN), eventually became known as the Culver-Baker Amendment.

The committee proposal established an Endangered Species Interagency Committee to review Federal Agency actions that would jeopardize the continued existence of a threatened or endangered species or adversely modify habitat critical to such species. Under the plan, the Endangered Species Committee could determine whether the otherwise prohibited Federal action should be allowed to proceed. The Congress ultimately adopted this general approach. The measure enacted (P.L. 95–632) also required the designation of critical habitat and consideration of the economic consequences of such designation as part of the process of listing a species as endangered.

The Endangered Species Committee subsequently declined to exempt the Tellico Dam project from the requirements of the Endangered Species Act and thus prohibited completion of the project. The Grayrocks Dam was exempted by that committee on condition that measures be taken to mitigate the project's impact on the whooping crane.

The failure of the review committee to allow completion of the Tellico project resulted in the issue being raised before the Environment and Public Works Committee again in 1979. While there were some minor modifications to teh Endangered Species Act, the major focus of the committee's action was on a proposal by Senator Baker to exempt the Tellico project from the Act's requirements. The exemption was opposed by Senator Culver, the subcommittee chairman, and Senator John Chafee (R–RI) and was not adopted by the committee.

When the bill was debated by the full Senate, Senator Baker, together with Senator James Sasser (D–TN), again sought an exemption for Tellico which was rejected on June 13. The Senate then passed the bill with the other changes to the Act.

The focus of the issue then shifted to the House of Representatives which passed the Energy and Water Appropriations bill for fiscal year 1980 on June 18. It included an amendment allowing Tellico Dam to be completed. When the Senate considered this bill in July, the Tellico exemption was deleted from the final appropriations act (P.L. 96–69).

The appropriations measure next went to a conference committee where the issue of whether to exempt the Tellico project was reported in disagreement. The House reaffirmed its wish to exempt Tellico Dam, and the Senate agreed to recede from its opposing position in September. A month later the House passed the Endangered Species Act reauthorization bill which the Senate had passed earlier in June and it became law (P.L. 96–159).

The exemption for Tellico Dam in the Energy and Water Appropriations bill resolved that issue once and for all. Since that time, no other project has been exempted, either by the Endangered Species Committee or by the Congress, from the requirements of the Endangered Species Act.

In 1982, the Committee on Environment and Public Works undertook another major revision of the Act that was subsequently incorporated into law (P.L. 97–304) with few additional changes. By that time, Republicans were in the majority and the fish and wildlife jurisdiction was shifted to the Subcommittee on Environmental Pollution chaired by Senator Chafee. Senator George J. Mitchell (D–ME) became ranking minority member of the Subcommittee.

Testimony before the committee indicated that the 1978 amendments to the Act had burdened the listing process with nonbiological factors and, as a result, had greatly decreased the number of species listed annually. Consequently, the Committee adopted amendments that prohibit consideration of economic impact in listing decisions and ensure that listings or delistings are based solely on biological data. Schedules for the various steps in the listing process also were incorporated into the Act to require that petitions to list species are considered expeditiously.

A number of changes were made in the consultation process established under section 7 of the Act to bring greater predictablity to that process. Time frames were set and a procedure for consultation at the initial stages of a project's development was incorporated. The 1982 amendments also modified procedural aspects of the section 7 interagency committee review process that was created in 1978 to, in part, shorten the time in which a decision has to be rendered.

Another change to the 1973 Act provided that actions which are in compliance with meaures specified in section 7 consultations to minimize takings may be exempt from the general prohibition in section 9 against incidental takings. Provisions also were added to section 10 of the Act to encourage establishment of experimental populations for the recovery of species. These changes were enacted as P.L. 97–304.

The 1982 authorization for appropriations to implement the Endangered Species Act expired on September 30, 1985. The committee reported a bill by Senators Chafee and Mitchell on March 14, 1986, to continue the spending authorization

Protection of scarce animals under the Endangered Species Act conflicted with developmental pressures and brought the Committee into major controversies in the 1970s. Here, an endangered bald eagle is released into its native environment. (Fish and Wildlife Service)

through fiscal year 1988 with increased funding levels but no other amendments. In addition, the House of Representatives passed a bill in 1985 which also extended the authorization through fiscal year 1988. Neither bill was considered by the full Senate in the 99th Congress (1985–86).

At the opening of the 100th Congress in January, 1987, Democrats were again in the majority, and Senators Mitchell and Chafee exchanged positions as chairman and ranking minority member of the Subcommittee on Environmental Protection.

In December of that year, the committee reported a bill providing the first major renewal and refinement of the Endangered Species Act since 1982. It authorized increased appropriations through fiscal year 1992; provided funding to the states for cooperative projects essential to the recovery of listed species; provided increased protection for plants from vandals and unscrupulous collectors; and provided increased protection for species that are awaiting listing and protection under the Act. The Senate passed the bill (S. 675) in July, 1988, by a vote of 93–2. House action followed and a conference was held. The resulting measure became law (P.L. 100–478) on October 7, 1988.

Fish and Wildlife Conservation Act of 1980

On May 15, 1980, the committee reported legislation initiated by Senator Chafee that became the Fish and Wildlife Conservation Act of 1980 (P.L. 96–366). That legislation sought to fill the gap in the existing fish and wildlife management programs. For the first time, a comprehensive wildlife conservation program was

established concerned with those species of fish and wildlife that are not ordinarily hunted or fished for and that are not threatened or endangered.

The program was intended to be integrated with existing programs for game and sport fish, namely the Pittman-Robertson (Federal Aid in Wildlife Restoration Act) and Dingell-Johnson (Federal Aid in Sport Fish Restoration Act). The management programs established by the legislation sought to reduce the possibility that species of wildlife would become endangered and, therefore, that the stringent requirements of the Endangered Species Act would be required. The Act provides for comprehensive conservation plans and specific management projects pursuant to these plans, which could be reimbursed by the Federal Government.

Lacey Act Amendments of 1981

Legislation to significantly revise the Lacey and Black Bass Acts was reported by the committee in May, 1981. These statutes are among the most important means of protecting fish and wildlife because they cover thousands of species subject to State and foreign laws. Together the Acts impose Federal penalties for the illegal interstate transportation of, or foreign commerce in, wildlife and fish taken in violation of State or foreign law.

Testimony before the committee, however, revealed that the penalties under the Lacey and Black Bass Act were too low and the culpability standard too stringent. Additionally, criminal violations were only misdemeanors under these statutes.

Therefore, the bill developed and approved by the committee corrected these insufficiencies in the Lacey and Black Bass Acts and combined the provisions of these two laws into one statute (P.L. 97–79) to simplify administration and enforcement and to promote public understanding.

Atlantic Striped Bass Conservation Act

The Atlantic Striped Bass Conservation Act (P.L. 98–613) was enacted in 1984 to encourage the development, implementation, and enforcement of effective interstate action regarding the conservation and management of the Atlantic striped bass, known in some areas as rockfish. The Act recognized the importance of the striped bass as a commercial and game fish throughout its range, primarily from North Carolina to Maine. The impetus for the Act came primarily from the dramatic declines in striped bass populations during the past decade, especially in the Chesapeake Bay. Prior to 1975 the bay had been the spawning and nursery ground for approximately 90 percent of the Atlantic population.

The Act provided a mechanism to protect striped bass stocks by giving the States a choice of either complying with and enforcing the "Interstate Fishery Management Plan for the Striped Bass" (Plan)—which was unanimously adopted by the States of the Atlantic States Marine Fisheries Commission (Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, and North Carolina)—or of having the Federal Government impose a moratorium on fishing for striped bass in their coastal waters. The Commission was directed by the Act to make the determination and report to the Secretary of Commerce on whether each coastal State had complied with the amended Plan.

In April 1986, the committee proposed legislation (S. 1813) to reauthorize the Atlantic Striped Bass Conservation Act through fiscal year 1988 and continue the authority for the Federal Government to impose a moratorium on fishing for striped bass in the coastal waters of the States from North Carolina to Maine. Several other changes were made to provide for coherent, continuing management of the stocks of striped bass that migrate through the waters of Atlantic Coast States, while retaining traditional State-Federal roles and responsibilities for fisheries management. After conforming with a House companion bill (H.R. 3358), this measure became law on October 1 (P.L. 99–432).

Emergency Wetlands Resources Act

During the 98th and 99th Congresses (1983–86) Senators Chafee and Mitchell worked to develop major new legislation to finance the acquisition and conservation of the Nation's wetlands. Their effort culminated in the reporting of the Emergency Wetlands Resources Act in September 1986, and its subsequent enactment by the Congress later that year (P.L. 99–645).

The Act provided for approaches to increase the acquisition and protection of wetlands. First, it extended the Wetlands Loan Act and forgave repayment of the advances made to the Migratory Bird Conservation Fund. Second, it raised additional revenues for deposit in this Fund. Third, it revised the Land and Water Conservation Fund to allow it to be used specifically for purchasing wetlands. And fourth, it required study and inventory of the Nation's wetlands.

SUPERFUND

Enactment of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) in late 1980 marked the completion of development by the committee of legislation in all major areas of environmental concern. The new law (P.L. 96–510), commonly known as "Superfund", was created to protect the public health and the environment from the release, or threat of release, of hazardous substances at abandoned or other sites throughout the Nation.

President Jimmy Carter signed the Superfund bill on December 11, 1980, at the end of a long process that reached its culmination during a hectic political year.

Congressional actions which led to Superfund actually started in the 95th Congress (1977–78). Proposals were made in both the Senate and House of Representatives to expand the existing provisions of the Clean Water Act to provide cleanup costs and compensation for victims of oil and hazardous substance releases. A bill (H.R. 6803) was passed by the House of Representatives but addressed only oil spills.

In the Senate, proposals were advanced by members of the two concerned committees, Environment and Public Works and Commerce, Science, and Transportation. The first of these (S. 2083) originated in the Commerce Committee which reported it as original legislation. This bill was subsequently referred to the Environmental and Public Works Committee. The second bill (S. 2900) was introduced by Senators Edmund S. Muskie (D–ME), Robert T. Stafford (R–VT), and

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Improper storage and disposal of dangerous materials, such as this field of improperly handled barrels, was attacked by the Superfund program enacted in 1980. (Environmental Protection Agency)

John Chafee (R–RI). The committee considered the House bill and both Senate proposals and included hazardous substances before reporting S. 2900. House resistance to this inclusion prevented enactment in the 95th Congress.

Action in the 96th Congress (1979–80) began with a proposal of the Carter Administration (S. 1341, H.R. 4566, H.R. 4571) dealing with both oil and hazardous substances. While the subject was confined in the Senate to a single committee (Environment and Public Works), the situation was more complex in the House where jurisdiction was exercised by three committees (Merchant Marine and Fisheries, Interstate and Foreign Commerce, and Public Works and Transportation). Ultimately the tax-related committees of both houses also became involved.

Enactment of Superfund legislation by the 96th Congress was given added impetus by highly publicized cases of questionable management of hazardous substances, particularly disposal practices. Perhaps the incident most responsible for the mobilization of public opinion behind legislation to clean up uncontrolled hazardous substance sites was that a Love Canal, near Niagara Falls, N.Y. More than 200 families were evacuated when the extent of their exposure to hazardous substances in their homes as a result of a company's previous disposal practices became known. The circumstances of these families was an important consideration as the committee and the Congress debated legislation to address health and environmental problems similar to those at Love Canal.

Love Canal was one of a number of cases of hazardous substance disposal brought to the public's attention in 1979. In Kentucky, 20,000–30,000 leaking barrels were discovered at a site which became known as the "Valley of the Drums". On Long Island, 54 public wells, serving 100,000 people were found to be contaminated by hazardous substances. In Charles City, IA, it was established that arsenic and orthonitroaniline had entered the water supply serving 300,000 people.

Shortly after the Administration bill was submitted, another proposal (S. 1480) was introduced by six senior members of the Committee, Senators John C. Culver (D–IA), Edmund S. Muskie (D–ME), Robert T. Stafford (R–VT), John Chafee (R–RI), Jennings Randolph (D–WV), the committee chairman, and Daniel Patrick Moynihan (D–NY). Within the committee, its broad scope caused it to be assigned jointly to the subcommittees on Environmental Pollution, chaired by Senator Muskie, and Resource Protection, chaired by Senator Culver.

Extensive hearings were held in both houses during 1979. The extent of the problem was further documented when, for example, representatives of the Administration told the Environment and Public Works Committee that in the previous five years approximately 11,000 oil spills, averaging 17 million gallons per year, had occurred in the United States. The committee was further informed that each year nearly 3,500 chemical releases occur which have "the potential of releasing significant quantities of hazardous substances onto land or water."

In the autumn of 1979, a new bill (H.R. 7020) was introduced by Rep. James Florio (D–NJ), chairman of the House Commerce Committee's Subcommittee on Transportation. This measure was reported by the committee, in amended form, on May 16, 1980, and became the legislative vehicle by which Superfund eventually was enacted. It was referred to the Ways and Means Committee because additional revenues were required to support the new fund. It was sent to the full House on June 20 but was not passed by that body until September 23.

H.R. 7020, however, addressed only hazardous waste dumps. Oil spills were considered in another bill, H.R. 85, which was reported by the Merchant Marine and Fisheries Committee in May 1979. It was not until a year later that the Public Works and Transportation Committee, which held joint jurisdiction, completed work on its verison of the bill. H.R. 85 was passed by the House, but its subject matter was considered in broader legislation by the Senate.

Meanwhile, the Committee on Environment and Public Works completed work on its Superfund bill on July 11, 1980. It was not referred to the Committee on Finance, however, until October 1 with instructions to report the revenue mechanism by November 21. Thus the legislation could not be completed until after the 1980 general elections.

The elections in early November resulted in the defeat of an incumbent Democratic President and the end of a long period of Democratic control of the Senate. Uncertain of what lie ahead, the post-election session of the Congress was devoted to completing as much as possible of the agenda of the past two years.

The preceding six months also had seen the committee lose the services of the two subcommittee chairmen who had functioned as the principal managers of Superfund development. Senator Muskie resigned in May to become Secretary of State, and Senator Culver was defeated for reelection in November.

In the post-election congressional session, Superfund was a major objective for enactment. With the Finance Committee yet to report its recommendations for funding, time became an important factor. Senator Stafford, as the prospective new chairman of the Environment and Public Works Committee, assumed a central position, working with Chairman Randolph to move the measure forward.

The legislative situation at that time was complex. While there was momentum to create the Superfund program, there was a corresponding desire by some members and interests to soften its impact or to postpone action altogether until the following year when a new Administration and new leadership in the Senate would be in place. As a result, Chairman Randolph, Senator Stafford and other committee members began the effort to modify the Senate bill so it would be acceptable to House and avoid the possibility that a Superfund program would be lost altogether.

The Finance Committee reported the bill back to the Senate on November 18 without amendment, recommendation or a written report. Negotiations in the Senate continued to search for an acceptable Superfund bill. After numerous changes to the original bill, Chairman Randolph and Senator Stafford proposed a compromise version as an amendment to H.R. 7020 which was accepted by the Senate on November 24 by 78–9.

In a letter to Rep. Florio, the two Senators stressed the fragile nature of the compromise that had been reached in the Senate. They suggested that, even in the form it had passed, the bill probably would fail on another Senate vote. Faced with the possible loss of Superfund altogether if a Senate-House conference were sought, the House adopted the Senate bill without change on December 11 by a vote of 274–94.

Thus, when members of the committee went to the White House to see the bill signed, they did so knowing they had provided a response to a significant environmental problem.

The new law created a trust fund—the Superfund—whose resources were to be used to respond to imminent dangers of an emergency type, or to provide funding for the permanent cleanup of uncontrolled sites contaminated with hazardous substances. CERCLA's initial authorization provided for the collection of $1.6 billion in taxes on the petroleum and chemical industries and from general Federal revenues. Superfund reauthorization, the Superfund Amendments and Reauthorization Act of 1986 (SARA) increased the trust fund to $8.5 billion to be collected between 1987 and 1991 from taxes on industry, general revenues and repayments to the fund for the cost of Federal response by those parties responsible for the contamination—property owners and operators, generators and transporters.

The efforts of the Environment and Public Works Committee which resulted in the Superfund statute have their roots in water Quality Improvement Act of 1970. Based on law dating back to the late 19th Century, the 1970 Act provided for a notification procedure and fines relating to the dumping of oil into waters, called for a National Contingency Plan for the correction of oil spills, and provided for regulations identifying hazadous substances that could cause damage when discharged into water.

Subsequently, the Federal Water Pollution Control Act Amendments (FWPCA) of 1972 were enacted as Public Law 92–500. Section 311 of the Clean Water Act (as the FWPCA came to be known) established a regulatory program for the prevention and, wherever necessary, the cleanup of spills of oil and hazardous substances "into or upon the navigable waters of the United States, adjoining shorelines, or into or upon the waters of the contiguous zone. . . ." Section 311 was the forerunner of Superfund. It established a National Contingency Plan (NCP) and a "strike force" or response team to carry out the plan.

When enacted, Superfund adopted and built upon the NCP, the response team and other features of the Clean Water Act's section 311. Beyond the oil and hazardous substance liability program, the Clean Water Act's section 504 contains an emergency powers provision which provides for authority to clean up spills and other releases. Its authorization, however, is limited to $10 million.

The 1980 Superfund Act provided for official notification of any spills or releases in order to protect the public from exposure to hazardous substances at the earliest possible moment. The statute also provided for an inventory of inactive and abandoned sites with actual or threatened releases of hazardous substances. The most dangerous sites were to be ranked on a National Priority List, which was to be updated at least annually.

CERCLA provides for enforcement against those responsible for releases of hazardous substances into the environment. It establishes the liability of those responsible for the pollution and it requires cleanup of those releases, at the expense of the polluter, where there are financially responsible parties.

Where sites containing hazardous substances have been abandoned, or where responsible parties are unwilling or unable to provide site cleanup, the government performs site cleanup with the proceeds of taxes on the petroleum and chemical industries. The collected tax is placed in a Hazardous Substance Response Trust Fund—or Superfund. It was authorized to collect $1.38 billion over five years. An additional $220 million was to come from general revenues, for a total of $1.6 billion.

Superfund provided two forms of cleanup of uncontrolled, hazardous substance sites. The first built upon the emergency authority of the Clean Water Act's section 504. The emergency response authority, as implemented by the United States Environmental Protection Agency (EPA) and the Coast Guard, came to be known as the Removal Program. Wherever there occurs a release of hazardous substances on the land, in the air or into the waters of the United States, the government is authorized to use the fund to respond immediately to the incident. The release

is to be cleaned up or stabilized to relieve an imminent danger to the public health or the environment. Subsequent to a removal action the government is to seek reimbursement to the fund by the responsible party.

In 1981, the government was directed by a new Administration as Ronald Reagan was inaugurated as the nation's 40th President. As the committee reorganized itself, Superfund was assigned to the new Subcommittee on Toxic Substances and Environmental Oversight chaired by Senator Slade Gorton (R–WA) with Senator Max Baucus (D–MT) the ranking minority member.

During the period 1981 to mid-1983, Superfund was the focus of much controversy. The Environmental Protection Agency was moving cautiously to implement the newly enacted statue and was doing so in what some believed to be an overly burdensome manner. During that time period, EPA became the subject of media and other public scrutiny.

Such examination, though sparked by Superfund implementation, soon revealed that many of EPA's programs were suffering from similar inaction. Career staff began leaving the agency. Regulations necessary to implement programs, including Superfund, were delayed. Budget recommendations were insufficient. And a suspicion began to grow that many of the agency's appointees were more concerned with the well-being of potentially responsible parties than with the health and well-being of citizens living in close proximity to Superfund sites or with the environment, itself. In fact, an EPA assistant administrator who was in charge of Superfund went to prison for having committed perjury before the committee in 1983. The subject of the perjury concerned the communication of privileged Superfund information to her former employer. The controversy at EPA which began with the public's concern that the Superfund program was not moving expeditiously to clean up the Nation's worst hazardous materials sites ultimately ended with the dismissal or resignation of over 20 of the upper echelon of EPA presidential appointees.

Even with a new management at the Environmental Protection Agency, the pace of the program remained slow as the leadership attempted to implement Superfund activities. By April, 1984, there were 546 sites on the National Priorities List. The public and the Congress began to realize that as Superfund was implemented, knowledge about the size and extent of the problem expanded exponentially. At that time EPA estimated that perhaps 2,200 sites would eventually be placed on the List at a cost of between $8 billion and $16 billion.

In the 98th Congress (1983–84) Senator Dave Durenberger (R–MN) became chairman of the subcommittee responsible for Superfund and served in that capacity for four years.

The committee decided that it would be prudent to extend and amend Superfund rather than await its expiration in 1985. The committee reported such a bill, S. 2892, to the Senate on September 13, 1984, by a vote of 17–1. That legislation would have provided for a $7.5 billion Superfund. The bill was then referred to the Committee on Finance for consideration of the tax provisions, but the 98th Congress ended before the committee took action. The House of

Representatives passed separate Superfund legislation in the 98th Congress. It would have raised $10.2 billion for fiscal years 1986 through 1990. Final action, however, was not completed.

Soon after the convening of the 99th Congress, the Environment and Public Works Committee held a hearing on a new bill, S. 51. That measure was a combination of the previous year's proposal and some of the amendments added to that bill by the committee. By February, 1985, estimates of the number of potentially hazardous sites had reached 22,000. CERCLA was due to expire on September 30, 1985, and fewer than 10 sites had been cleaned up by EPA since 1981.

The Administration submitted its own Superfund reauthorization in February, 1985. Its bill sought a total fund of $5.3 billion over five years. The Administration's proposal would also have considerably narrowed the scope of the Superfund program.

Among the most significant changes in CERCLA, the committee's proposal contained an amendment pertaining to the selection of remedies for site cleanup. This was in response to the question, "How clean is clean?" It would, ideally, set the standard by which site cleanups would be measured. That provision was biased toward "treatment which significantly reduces the volume, toxicity, or mobility of the hazardous substances . . ." rather than those "remedial actions not involving such treatment." Also required was a state's certification that, in compliance with the Resource Conservation and Recovery Act's rules pertaining to facilities which treat and dispose of hazardous substances, it has the capacity to treat, store or dispose of such substances generated by a state over a twenty year period. The committee also expressed its strong concern about the health effects of pollutants found in sites containing hazardous materials. It amended CERCLA to provide that the Agency For Toxic Substances and Disease Registry will be the consultant, upon request, to EPA, State or local governments regarding health issues related to exposure to hazardous substances. S. 51 also required that health assessments be conducted to determine, for each release or facility, the risk to human health. If a risk is determined to be significant, steps are to be taken to provide for its mitigation.

The Senate passed S. 51 on September 26, 1985. The House ultimately passed its version of the bill on December 10, 1985. Since an agreement between the Senate and House in conference committee did not occur prior to the expiration of CERCLA's authorization, the Superfund program required congressional action to prevent a shutdown. Two emergency appropriations were passed: H.J. Res. 573 for $150 million on April 1, 1986, and H.J. Res. 713 for $48 million on August 15, 1986. These were repayable advances, to be repaid after taxes again began coming in to the fund. Conferees reached agreement on the programmatic sections of the amendments on July 31, 1986. Tax conferees reached agreement on October 2, 1986.

The Congress passed and sent to the President the Superfund Amendments and Reauthorization Act of 1986 (SARA) which became law on October 17, 1986 (P.L. 99–499). This legislation provided for the collection of $8.5 billion over five years from a tax on the petroleum and chemical industries and a separate broad-based

industry tax which would replenish the Hazardous Response Trust Fund. It contained a cleanup standards provision along the lines of the Senate bill with a bias toward permanent, on-site treatment which was also cost-effective. Though cost was not to be considered in setting remedies, cost effective options which achieved the cleanup standard, provided for permanent treatment, to the extent practicable, and were protective of public health and the environment were to be favored over other options. Where the achievement of a standard was precluded for reasons of technical difficulty or the need to balance the fund against other commitments, various waivers were provided to EPA in order that it might legally choose other alternatives. The Congress also reacted to the slow pace of the program. Over the Administration's objections, EPA was required to have initiated a minimum number of various Superfund activities by certain dates.

SARA also adopted the committee's direction with regard to concerns about health effects and the need for health assessments to be completed in a timely fashion. Various of CERCLA's enforcement authorities were enhanced. In an effort to provide the Government with the tools to convince potentially responsible parties to settle disputes and to proceed with site cleanup, the Congress provided, among other things, legislative approval for mixed funding and separate settlements with de minimus parties. Mixed funding would allow the government, in certain instances, to use a portion of the fund to finance a cleanup where a potentially responsible party or parties have agreed to finance the major portion of the activity.

Title III of SARA consisted of the Emergency Planning and Community Right to Know Act of 1986. This initiative was developed by Senator Frank R. Lautenberg (D–NJ) both within the committee and during Senate debate and had two primary purposes. First, they created a state and local chemical emergency planning structure. Second, the provisions established a national multimedial environmental emissions inventory

Title IV of the act became the Radon Gas and Indoor Air Quality Research Act, sponsored by Senators Lautenberg and George Mitchell (D–ME). This title established a Federal research and assessment program for radon and other indoor air contaminants.

The 1966 elections returned the Senate and the committee to Democratic control and brought about another realignment of subcommittees. Senator Lautenberg became chairman and Senator John W. Warner (R–VA) ranking minority member of the Subcommittee on Superfund and Environmental Oversight. Thus a new subcommittee leadership was in place to monitor the implementation of the new Superfund legislation.

APPENDIX I

COMMITTEE MEMBERSHIP, 16th THROUGH 100th CONGRESSES

COMMITTEE ON PUBLIC BUILDINGS
16th Congress, 1819–1821

Democrat-Republicans	Federalists
Jonathan Roberts, PA, Chmn.	James Burrill, Jr., RI*
John Gaillard, SC	Prentiss Mellen, MA†
James Lanman, CT	
Isham Talbot, KY#	

*died December 25, 1820.
†resigned May 1820.
#assigned to the committee January 8, 1821.

JOINT COMMITTEE ON THE PUBLIC BUILDINGS
25th Congress

2nd Session, December 4, 1837–July 9, 1838

(No list of Members found, but Sen. Fulton referred to the Joint Committee on page 313 of the *Congressional Globe*, 25th Cong. 2nd Session.)

SENATE STANDING COMMITTEE ON PUBLIC BUILDINGS
25th Congress

3rd Session, December 3, 1838–March 3, 1839

Democrats	Whigs
William S. Fulton, AR, Chairman	Richard H. Bayard, DE
William C. Rives, VA	

26th Congress

1st Session, December 2, 1839–July 21, 1840
2nd Session, December 7, 1840–March 3, 1841

Democrats	Whigs
William S. Fulton, AR, Chairman	William D. Merrick, MD
Perry Smith, CT	

27th Congress

1st Session, May 31, 1841–September 13, 1841

Democrats	Whigs
William S. Fulton, AR	Alexander Barrow, LA Chmn.
	John Leeds Kerr, MD

2nd Session, December 6, 1841–August 31, 1842

Democrats	Whigs
William S. Fulton, AR	John L. Kerr, MD, Chairman George Evans, ME

3rd Session, December 5, 1842–March 3, 1843

Democrats	Whigs
Alfred Cuthbert, GA	William L. Dayton, NJ, Chmn. George Evans, ME

28th Congress

1st Session, December 4, 1843–June 17, 1844
2nd Session, December 2, 1844–March 3, 1845

Democrats	Whigs
Sidney Breese, IL Chairman Arthur P. Bagby, AL	William L. Dayton, NJ

29th Congress

1st Session, December 1, 1845–August 10, 1846
2nd Session, December 7, 1846–March 3, 1847

Democrats	Whigs
Simon Cameron, PA, Chairman Jesse D. Bright, IN	W.L. Dayton, NJ

30th Congress

1st Session, December 6, 1847–August 14, 1848
2nd Session, December 4, 1848–March 3, 1849

Robert M. Hunter, VA, Chairman David L. Yulee, FL, Whig Democrat	Presley Spruance, DE

Special Session, March 7–23, 1849

Democrats	Whigs
R.M.T. Hunter, VA, Chairman David L. Yulee, FL	

31st Congress

1st Session, December 3, 1849–September 30, 1850
2nd Session, December 2, 1850–March 3, 1851

Democrats	Whigs
R.M.T. Hunter, VA, Chairman Jefferson Davis, MS	John H. Clarke, RI

32nd Congress

1st Session, December 1, 1851–August 31, 1852

Democrats	Whigs
J. Whitcomb, IN, Chairman	John H. Clarke, RI
R.M.T. Hunter, VA	

2nd Session, December 6, 1852–March 3, 1853

Democrats	Whigs
Charles T. James, RI, Chairman	John H. Clarke, RI
R.M.T. Hunter, VA	

33rd Congress

1st Session, December 5, 1853–August 7, 1854
2nd Session, December 4, 1854–March 3, 1855

Democrats	Whigs
James A. Bayard, DE, Chairman	George E. Badger, NC
Charles T. James, RI	Thomas G. Pratt, MD
R.M.T. Hunter, VA	
J.R. Thomson, NJ	

34th Congress

1st Session, December 3, 1855–August 18, 1856
2nd Session, August 21, 1856–August 30, 1856
3rd Session, December 1, 1856–March 3, 1857

Democrats	Whigs
James A. Bayard, DE, Chairman	Thomas G. Pratt, MD
C.T. James, RI	John P. Hale, NH (Free-Soiler)
R.M.T. Hunter, VA	
John R. Thomson, NJ	

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

35th Congress

1st Session, December 7, 1857–June 14, 1858

Democrats	Republicans
Jesse D. Bright, IN, Chairman	Daniel Clark, NH
Stephen A. Douglas, IL	
James A. Bayard, DE	
Jefferson Davis, MS (States Rights Dem.)	

2nd Session, December 6, 1858–March 3, 1859

Democrats	Republicans
Jesse D. Bright, IN, Chairman	Daniel Clark, NH
Stephen A Douglas, IL	Anthony Kennedy, MD (Unionist)
Jefferson Davis, MS (S.R. Dem.)	

36th Congress

1st Session, December 5, 1859–June 25, 1860
2nd Session, December 3, 1860–March 31, 1861

Democrats	Republicans
Jesse D. Bright, IN, Chairman	Daniel Clark, NH
Anthony Kennedy, MD (Unionist)	James R. Doolittle, WI
Jefferson Davis, MS (S.R. Dem.)	
Andrew Johnson, TN*	

*assigned to the committee January 24, 1861.

37th Congress

Special Session, March 4–28, 1861

Democrats	Republicans
Jesse D. Bright, IN	Solomon Foot, VT, Chmn.
	James Dixon, CT
	Zachariah Chandler, MI
	Anthony Kennedy, MD (Un.)

1st Session, July 4, 1861–August 6, 1861
2nd Session, December 2, 1861–July 17, 1862

Democrats	Republicans
Jesse D. Bright, IN	Solomon Foot, VT, Chairman
	Henry B. Anthony, RI
	Zachariah Chandler, MI
	Anthony Kennedy, MD (Un.)

3rd Session, December 1, 1862–March 3, 1863

Democrats	Republicans
John B. Henderson, MO	Solomon Foot, VT, Chairman
	H.B. Anthony, RI
	Zachariah Chandler, MI
	Anthony Kennedy, MD (Un.)

38th Congress

Special Session, March 4–14, 1863

Democrats	Republicans
Willard Saulsbury, DE	Solomon Foot, VT, Chmn.
	Henry B. Anthony, RI
	Zachariah Chandler, MI
	Robert Wilson, MO (Un.)

1st Session, December 7, 1863–July 4, 1864

Democrats	Republicans
John B. Henderson, MO	Solomon Foot, VT, Chairman
Thomas A. Hendricks, IN	Lyman Trumbull, IL
	James W. Grimes, IA

2nd Session, December 5, 1864–March 3, 1865

Democrats	Republicans
Thomas A. Hendricks, IN	Solomon Foot, VT, Chairman
	Lyman Trumbull, IL
	James W. Grimes, IA
	Nathan A. Farwell, ME

39th Congress

Special Session, March 4–11, 1865

1st Session, December 4, 1865–July 28, 1866

Democrats	Republicans
B. Gratz Brown, MO	Solomon Foot, VT, Chairman
Thomas A. Hendricks, IN	Lyman Trumbull, IL
	James W. Grimes, IA

2nd Session, December 3, 1866–March 3, 1867

Democrats	Republicans
B. Gratz Brown, MO, Chairman	Lyman Trumbull, IL
James A. McDougall, CA	James W. Grimes, IA
	Luke P. Poland, VT

40th Congress

1st Session, March 4, 1867–December 2, 1867
2nd Session, December 2, 1867–November 10, 1868

Democrats	Republicans
Reverdy Johnson, MD*	William P. Fessenden, ME, Chairman
Garrett Davis, KY†	Lyman Trumbull, IL
William P. Whyte, MD†	James W. Grimes, IA
	Orris S. Ferry, CT

*reassigned July 10, 1868.
†assigned to the committee December 10, 1868.

41st Congress

1st Session, March 4, 1869–April 10, 1869

Democrats	Republicans
John P. Stockton, NJ	Justin S. Morrill, VT, Chmn.
Cornelius Cole, CA	Lyman Trumbull, IL
	Orris S. Ferry, CT

2nd Session, December 6, 1869–March 3, 1870
3rd Session, December 5, 1870–March 3, 1871

Democrats	Republicans
John P. Stockton, NJ	Justin S. Morrill, VT, Chmn.
William T. Hamilton, MD	Lyman Trumbull, IL
	Cornelius Cole, CA

42nd Congress

1st Session, March 4, 1871–April 20, 1871

Democrats	Republicans
John P. Stockton, NJ	Justin S. Morrill, VT, Chmn.
William T. Hamilton, MD	Lyman Trumbull, IL
	Cornelius Cole, CA

2nd Session, December 4, 1871–June 10, 1872

Democrats	Republicans
John P. Stockton, NJ	Justin S. Morrill, VT, Chmn.
	Lyman Trumbull, IL
	Charles Sumner, MA
	Cornelius Cole, CA

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3rd Session, December 2, 1872–March 3, 1873

Democrats	Republicans
John P. Stockton, NJ	Justin S. Morrill, VT, Chmn.
William T. Hamilton, MD	Abijah Gilbert, FL
	Simon Cameron, PA

43rd Congress

1st Session, December 1, 1873–June 23, 1874
2nd Session, December 7, 1874–March 3, 1875

Democrats	Republicans
John P. Stockton, NJ	Justin S. Morrill, VT, Chmn.
Henry Cooper, TN	Abijah Gilbert, FL
	Simon Cameron, PA

44th Congress

1st Session, December 6, 1875–August 15, 1876
2nd Session, December 4, 1876–March 3, 1877

Democrats	Republicans
Henry Cooper, TN	Justin S. Morrill, VT, Chmn.
William P. Whyte, MD	Simon Cameron, PA
	Algernon S. Paddock, NE

45th Congress

1st Session, October 15, 1877–December 3, 1877

Democrats	Republicans
Eli Saulsbury, DE	Henry L. Dawes, MA, Chmn.
Charles W. Jones, FL	Justin S. Morrill, VT, Chmn.
	James D. Cameron, PA

2nd Session, December 3, 1877–June 20, 1878

Democrats	Republicans
Eli Saulsbury, DE	Henry L. Dawes, MA, Chmn.
James B. Eustis, LA	Justin S. Morrill, VT
	James D. Cameron, PA

46th Congress

1st Session, March 18, 1879–July 1, 1879
2nd Session, December 1, 1879–June 16, 1881
3rd Session, December 6, 1880–March 3, 1881

Democrats	Republicans
Charles W. Jones, FL, Chairman	Henry L. Dawes, MA
Eli Saulsbury, DE	Justin S. Morrill, VT
George G. Vest, MO	

47th Congress

Special Session, March 4–May 20, 1881
Special Session, October 10–29, 1881
1st Session, December 5, 1881–August 8, 1882
2nd Session, December 4, 1882–March 3, 1883

Democrats	Republicans
Charles W. Jones, FL	Edward H. Rollins, NH, Chairman
George G. Vest, MO	Justin S. Morrill, VT
	Angus Cameron, WI

48th Congress

1st Session, December 3, 1883–July 7, 1884

Democrats	Republicans
Charles W. Jones, FL	William Mahone, VA, Chmn. (Readjuster)
George G. Vest, MO	Justin S. Morrill, VT
	Angus Cameron, WI

49th Congress

1st Session, December 7, 1885–August 5, 1886
2nd Session, December 6, 1886–March 3, 1887

Democrats	Republicans
Charles W. Jones, FL	William Mahone, VA, Chmn. (Readjuster)
George G. Vest, MO	Justin S. Morrill, VT
Johnson N. Camden, WV	Leland Stanford, CA
	John C. Sponner, WI

50th Congress

1st Session, December 5, 1887–October 20, 1888
2nd Session, December 3, 1888–March 2, 1889

Democrats	Republicans
George G. Vest, MO	Leland Stanford, CA, Chmn.
John W. Daniel, VA	Justin S. Morrill, VT
Samuel Pasco, FL	John C. Spooner, WI
	Matthew S. Quay, PA

51st Congress

1st Session, December 2, 1889–October 1, 1890
2nd Session, December 1, 1890–March 2, 1891

Democrats	Republicans
George G. Vest, MO	Leland Stanford, CA, Chmn.
John W. Daniel, VA	Justin S. Morrill, VT
Samuel Pasco, FL	John C. Spooner, WI
Randall L. Gibson, LA*	Matthew S. Quay, PA
	Watson C. Squire, WA*

*assigned to the committee December 16, 1889.

52nd Congress

1st Session, December 7, 1891–August 5, 1892
2nd Session, December 5, 1892–March 3, 1893

Democrats	Republicans
George G. Vest, MO	Leland Stanford, CA, Chmn.
John W. Daniel, VA	Justin S. Morrill, VT
Samuel Pasco, FL	Matthew S. Quay, PA
Randall L. Gibson, LA*	Watson C. Squire, WA
Calvin S. Brice, OH+	Joseph M. Carey, WY+

*excused from committee December 17, 1891.
+assigned to the committee December 17, 1891.

53rd Congress

1st Session, August 7, 1893–November 3, 1893

Democrats	Republicans
George G. Vest, MO, Chairman	Leland Stanford, CA*
John W. Daniel, VA	Justin S. Morrill, VT
Samuel Pasco, FL	Matthew S. Quay, PA
Calvin S. Brice, OH	Watson C. Squire, WA
John B. Gordon, GA	Joseph M. Carey, WY+

*died June 21, 1893.
+reassigned to the committee September 9, 1893.

2nd Session, December 4, 1893–August 28, 1894
3rd Session, December 3, 1894–March 3, 1895

Democrats	Republicans
George G. Vest, MO, Chairman	Justin S. Morrill, VT
John W. Daniel, VA	Matthew S. Quay, PA
Samuel Pasco, FL*	Watson C. Squire, WA
Calvin S. Brice, OH+	Joseph M. Carey, WY
John B. Gordon, GA	
Newton C. Blanchard, LA	
Thomas J. Jarvis, NC*	

*excused from further service on the committee March 12, 1894.
+excused from further service on the committee August 15, 1894.
*assigned to the committee August 15, 1894.

54th Congress

1st Session, December 2, 1895–June 11, 1896
2nd Session, December 7, 1896–March 3, 1897

Democrats	Republicans
George G. Vest, MO	Matthew S. Quay, PA, Chmn.
John W. Daniel, VA	Justin S. Morrill, VT
John B. Gordon, GA	Watson C. Squire, WA
Newton C. Blanchard, LA	Lee Mantle, MT
Edward Murphy, Jr., NY	Francis E. Warren, WY
	John H. Gear, IA

55th Congress

1st Session, March 15, 1897–July 24,1897

Democrats	Republicans
George G. Vest, MO	Matthew S. Quay, PA, Chmn.
John W. Daniel, VA	Justin S. Morrill, VT
Edward Murphy, Jr., NY	Francis E. Warren, WY
Joseph L. Rawlins, UT	Charles W. Fairbanks, IN
George F. Turner, WA (Fusionist)	George L. Wellington, MD
	Lee Mantle, MT

2nd Session, December 6, 1897–July 8, 1898
3rd Session, December 5, 1898–March 3, 1899

Democrats	Republicans
George G. Vest, MO	Matthew S. Quay, PA, Chmn.
Edward Murphy, NY	Justin S. Morrill, VT*
Joseph L. Rawlins, UT	Francis E. Warren, WY
George Turner, WA (Fus.)	Charles W. Fairbanks, IN
Hernando D. S. Money, MS	George L. Wellington, MD
	Lee Mantle, MT
	Joseph Simon, OR+

*died December 28, 1898.
+assigned to the committee February 2, 1899.

56th Congress

1st Session, December 4, 1899–June 7, 1900
2nd Session, December 3, 1900–March 1, 1901

Democrats	Republicans
George G. Vest, MO	Charles W. Fairbanks, IN
Joseph L. Rawlins, UT	Chairman
Hernando D. Money, MS	Francis E. Warren, WY
George Turner, WA (Fusionist)	George L. Wellington, MD
Charles A. Culberson, TX	Joseph Simon, OR
	Nathan B. Scott, WV
	Joseph V. Quarles, WI

57th Congress

1st Session, December 2, 1901–July 1, 1902
2nd Session, December 1, 1902–March 3, 1903

Democrats	Republicans
George G. Vest, MO	Charles W. Fairbanks, IN
Joseph L. Rawlins, UT	Chairman
George Turner, WA (Fusionist)	Francis E. Warren, WY
Charles A. Culberson, TX	Joseph Simon, OR
Furnifold M. Simmons, NC	Nathan B. Scott, WV
	Joseph V. Quarles, WI
	Porter J. McCumber, ND
	George L. Wellington, MD

58th Congress

1st Session, November 9, 1903–December 7, 1903
2nd Session, December 7, 1903–April 24, 1904

Democrats	Republicans
Charles A. Culberson, TX	Charles W. Fairbanks, IN
Furnifold M. Simmons, NC	Chairman
Alexander S. Clay, GA	Francis E. Warren, WY
William J. Stone, MO	Nathan B. Scott, WV
Asbury C. Latimer, SC	Joseph V. Quarles, WI
	Porter J. McCumber, ND
	George P. Wetmore, RI
	Matthew S. Quay, PA*

*died May 28, 1904

3rd Session, December 5, 1904–March 3, 1905

Democrats	Republicans
Charles A. Culberson, TX	Charles W. Fairbanks, IN
Furnifold M. Simmons, NC	Chairman
Alexander S. Clay, GA	Francis E. Warren, WY
William J. Stone, MO	Nathan B. Scott, WV
Asbury C. Latimer, SC	Joseph V. Quarles, WI
	Porter J. McCumber, ND
	George P. Wetmore, RI
	W. Murray Crane, MA

59th Congress

1st Session, December 4, 1905–June 30, 1906
2nd Session, December 3, 1906–March 3, 1907

Democrats	Republicans
Charles A. Culberson, TX	Nathan B. Scott, WV, Chmn.
Furnifold M. Simmons, NC*	Francis P. Warren, WY
Alexander S. Clay, GA	Porter J. McCumber, ND
William J. Stone, MO	George P. Wetmore, RI
Asbury C. Latimer, SC	Joseph H. Millard, NE
Lee S. Overman, NC+	John F. Dryden, NJ
	Weldon B. Heyburn, ID

*excused from further service on the committee June 21, 1906.
+assigned to the committee June 21, 1906.

60th Congress

1st Session, December 2, 1907–May 30, 1908
2nd Session, December 7, 1908–March 3, 1909

Democrats	Republicans
Charles A. Culberson, TX	Nathan B. Scott, WV, Chmn.
Alexander S. Clay, GA	Francis E. Warren, WY
William J. Stone, MO	Porter J. McCumber, ND
Asbury C. Latimer, SC*	Weldon B. Heyburn, ID
Lee S. Overman, NC	Elmer J. Burkett, NE
Frank B. Gary, SC+	William Warner, MO
	George P. Wetmore, RI

*died February 20, 1908.
+assigned to the committee March 18, 1908.

61st Congress

1st Session, March 15, 1909–August 5, 1909
2nd Session, December 6, 1909–June 25, 1910

Democrats	Republicans
Charles A. Culberson, TX	Nathan B. Scott, WV, Chmn.
Alexander S. Clay, GA*	Francis E. Warren, WY
William J. Stone, MO	Weldon B. Heyburn, ID
Lee S. Overman, NC	William Warner, MO
Robert L. Taylor, TN	George P. Wetmore, RI
Thomas P. Gore, OK	Robert J. Gamble, SD
	Morgan G. Bulkeley, CT
	Henry A. du Pont, DE
	Isaac Stephenson, WI

*died November 13, 1910

3rd Session, December 5, 1910–March 3, 1911

Democrats	Republicans
Charles A. Culberson, TX	Nathan B. Scott, WV, Chmn.
William J. Stone, MO	Francis E. Warren, WY
Lee S. Overman, NC	Weldon B. Heyburn, ID
Robert L. Taylor, TN	William Warner, MO
Thomas P. Gore, OK	George P. Wetmore, RI
Claude A. Swanson, VA	Robert J. Gamble, SD
	Morgan G. Bulkeley, CT
	Henry A. du Pont, DE
	Isaac Stephenson, WI

62nd Congress

1st Session, April 4, 1911–August 22, 1911
2nd Session, December 4, 1911–August 26, 1912

Democrats	Republicans
Charles A. Culberson, TX	George Sutherland, UT, Chmn.
Robert L. Taylor, TN*	Francis E. Warren, WY
Claude A. Swanson, VA	Weldon B. Heyburn, ID+
Robert L. Owen, OK	George P. Wetmore, RI
Clarence W. Watson, WV	Robert J. Gamble, SD
James E. Martine, NJ	Henry A. du Pont, DE
James A. Reed, MO	Isaac Stephenson, WI
Henry F. Ashurst, AZ#	Jonathan Bourne, Jr., OR
	Miles Poindexter, WA

*died March 31, 1912
+died October 17, 1912.
#assigned to the committee April 11, 1912.

3rd Session, December 2, 1912–March 3, 1913

Democrats	Republicans
Charles A. Culberson, TX	George Sutherland, UT, Chmn.
Claude A. Swanson, VA	Francis E. Warren, WY
Robert L. Owen, OK	George P. Wetmore, RI
Clarence W. Watson, WV	Robert J. Gamble, SD
James E. Martine, NJ	Henry A. du Pont, DE
James A. Reed, MO	Isaac Stephenson, WI
Henry F. Ashurst, AZ	Jonathan Bourne, Jr., OR
	Miles Poindexter, WA
	William J. Jackson, MD*

*assigned to the committee January 4, 1913.

63rd Congress

1st Session, April 7, 1913–November 29, 1913
2nd Session, December 1, 1913–October 24, 1914

Democrats	Republicans
Claude A. Swanson, VA, Chairman	George Sutherland, UT
James E. Martine, NJ	Francis E. Warren, WY
James A. Reed, MO	Henry A. du Pont, DE
Henry F. Ashurst, AZ	Isaac Stephenson, WI
John W. Kern, IN**	Miles Poindexter, WA
Harry Lane, OR	William P. Jackson, MD+
Joseph F. Johnston, AL*	Edwin C. Burleigh, ME
Willard Saulsbury Jr., DE	James H. Brady, ID#
Charles A. Culberson, TX	
Francis S. White, AL++	

*died August 8, 1913
+resigned January 28, 1914.
#assigned to the committee February 10, 1914.
**excused from further service on the committee July 27, 1914.
++assigned to the committee July 27, 1914.

3rd Session, December 7, 1914–March 4, 1915

Democrats	Republicans
Claude A. Swanson, VA, Chairman	George Sutherland, UT
James E. Martine, NJ	Francis E. Warren, WY
James A. Reed, MO	Henry A. du Pont, DE
Henry Ashurst, AZ	Isaac Stephenson, WI
Harry Lane, OR	Miles Poindexter, WA
Willard Saulsbury Jr., DE	Edwin C. Burleigh, ME
Charles A. Culberson, TX	James H. Brady, ID
Frank S. White, AL	
Thomas W. Hardwick, GA	

64th Congress

1st Session, December 6, 1915–September 7, 1916

Democrats	Republicans
Claude A. Swanson, VA, Chairman	George Sutherland, UT
James E. Martine, NJ	Francis E. Warren, WY
James A. Reed, MO	Miles Poindexter, WA
Henry F. Ashurst, AZ	Edwin C. Burleigh, ME*
Henry Lane, OR	James H. Brady, ID, NM
Willard Saulsbury Jr., DE	Albert B. Fall, NM
Charles A. Culberson, TX	James W. Wadsworth, Jr., NY
Thomas W. Hardwick, GA	
Robert F. Broussard, LA	

*died June 16, 1916

2nd Session, December 4, 1916–March 2, 1917

Democrats	Republicans
Claude A. Swanson, VA, Chairman	George Sutherland, UT
James E. Martine, NJ	Francis E. Warren, WY
James A. Reed, MO	Miles Poindexter, WA
Henry F. Ashurst, AZ	James H. Brady, ID
Harry Lane, OR	Albert B. Fall, NM
Willard Saulsbury Jr., DE	James W. Wadsworth, Jr., NY
Charles A. Culberson, TX	Bert M. Fernald, ME
Thomas W. Hardwick, GA	
Robert F. Broussard, LA	

65th Congress

1st Session, April 2, 1917–October 6, 1917

Democrats	Republicans
Claude A. Swanson, VA, Chairman	Francis E. Warren, WY
James A. Reed, MO	James H. Brady, ID
Henry F. Ashurst, AZ	Bert M. Fernald, ME
Harry Lane, OR*	Charles Curtis, KS
Willard Saulsbury Jr., DE	Howard Sutherland, WV
Charles A. Culberson, TX	Joseph S. Frelinghuysen, NJ
Thomas W. Hardwick, GA	Joseph I. France, MD
Robert F. Broussard, LA	
J.C.W. Beckham, KY	

*died May 23, 1917.

2nd Session, December 3, 1917–November 21, 1918

Democrats	Republicans
Claude A. Swanson, VA, Chairman	Francis E. Warren, WY
James A. Reed, MO	James H. Brady, ID*
Henry F. Ashurst, AZ	Bert M. Fernald, ME
Willard Saulsbury Jr., DE	Charles Curtis, KS
Charles A. Culberson, TX	Howard Sutherland, WV
Thomas W. Hardwick, GA	Jospeh S. Frelinghuysen, NJ
Robert F. Broussard, LA#	Jospeh I. France, MD
J.C.W. Beckham, KY	Irvine L. Lenroot, WI**
Park Trammell, FL+	
Walter Guion, LA++	

*died January 3, 1918.
+assigned to the committee January 24, 1918.
#died April 12, 1918.
**assigned to the committee April 18, 1918.
++assigned to committee May 11, 1918; resigned November 5, 1918.

3rd Session, December 2, 1918–March 3, 1919

Democrats	Republicans
James A. Reed, MO, Chairman	Francis E. Warren, WY
Henry F. Ashurst, AZ	Bert M. Fernald, ME
Willard Saulsbury Jr., DE	Charles Curtis, KS
Charles A. Culberson, TX	Howard Sutherland, WV
Thomas W. Hardwick, GA	Joseph S. Frelinghuysen, NJ
J.C.W. Beckham, KY	Joseph I. France, MD
Park Trammell, FL	Irvine L. Lenroot, WI
Claude A. Swanson, VA	
Edward J. Gay, LA	

66th Congress

1st Session, May 19, 1919–November 19, 1919
2nd Session, December 1, 1919–June 5, 1920
3rd Session, December 6, 1920–March 3, 1921

Democrats	Republicans
James A. Reed, MO	Bert M. Fernald, ME, Chair.
Henry F. Ashurst, AZ	Francis E. Warren, WY
Charles A. Culberson, TX	Charles Curtis, KS*
J.C.W. Beckham, KY	Howard Sutherland, WV
Park Trammell, FL	Joseph S. Frelinghuysen, NJ
Claude A. Swanson, VA	Joseph I. France, MD
Edward J. Gay, LA	Irvine L. Lenroot, WI
	Selden P. Spencer, MO
	Henry W. Keyes, NH
	Frank R. Gooding, ID+

*excused from further service on the committee February 2, 1921.
+assigned to the committee February 2, 1921.

67th Congress

1st Session, April 11, 1921–November 23, 1921
2nd Session, December 5, 1921–September 22, 1922
3rd Session, November 20, 1922–December 4, 1922
4th Session, December 4, 1922–March 3, 1923

Democrats	Republicans
James A. Reed, MO	Bert M. Fernald, ME, Chmn.
Henry F. Ashurst, AZ	Francis E. Warren, WY
Charles A. Culberson, TX	Joseph S. Frelinghuysen, NJ
Park Trammell, FL	Joseph I. France, MD
Claude A. Swanson, VA	Irvine L. Lenroot, WI
	Henry W. Keyes, NH
	William B. McKinley, IL
	John W. Harreld, OK

68th Congress

1st Session, December 3, 1923–June 7, 1924
2nd Session, December 1, 1924–March 3, 1925

Democrats	Republicans
James A. Reed, MO	Bert M. Fernald, ME, Chmn.
Henry F. Ashurst, AZ	Francis E. Warren, WY
Park Trammell, FL	Irvin L. Lenroot, WI
Claude A. Swanson, VA	Henry W. Keyes, NH
Nathaniel B. Dial, SC	William B. McKinley, IL
Earle B. Mayfield, TX	John W. Harreld, OK
	Simeon D. Fess, OH

Farmer Laborite

Henrik Shipstead, MN

69th Congress

1st Session, December 7, 1925–November 10, 1926

Democrats	Republicans
James A. Reed, MO	Bert M. Fernald, ME, Chmn.*
Henry F. Ashurst, AZ	Francis E. Warren, WY
Park Trammell, FL	Irvine L. Lenroot, WI
Claude A. Swanson, VA	Henry W. Keyes, NH
Earle B. Mayfield, TX	John W. Harreld, OK
Edward I. Edwards, NJ	Simeon D. Fess, OH
	W. H. McMaster, SD

Farmer Laborite

Henrik Shipstead, MN

*died August 23, 1926.

2nd Session, December 6, 1926–March 3, 1927

Democrats	Republicans
James A. Reed, MO	Irvine L. Lenroot, WI, Chmn.
Henry F. Ashurst, AZ	Francis E. Warren, WY
Park Trammell, FL	Henry W. Keyes, NH
Claude A. Swanson, VA	John W. Harreld, OK
Earle B. Mayfield, TX	Simeon D. Fess, OH
Edward I. Edwards, NJ	W. H. McMaster, SD
	Arthur R. Gould, ME

Farmer Laborite

Henrik Shipstead, MN

70th Congress

1st Session, December 5, 1927–May 29, 1928
2nd Session, December 3, 1928–March 3, 1929

Democrats	Republicans
James A. Reed, MO	Henry W. Keyes, NH, Chmn.
Henry F. Ashurst, AZ	Francis E. Warren, WY
Park Trammell, FL	Simeon D. Fess, OH
Claude A. Swanson, VA	W. H. McMaster, SD
Earle B. Mayfield, TX	Arthur R. Gould, ME
Edward I. Edwards, NJ	Reed Smoot, UT
Millard E. Tydings, MD	Samuel M. Shortridge, CA

Farmer Laborite

Henrik Shipstead, MN

71st Congress

1st Session, April 15, 1929–November 22, 1929

Democrats	Republicans
Henry F. Ashurst, AZ	Henry W. Keyes, NH, Chmn.
Park Trammell, FL	Francis E. Warren, WY*
Claude A. Swanson, VA	Simeon D. Fess, OH
Millard E. Tydings, MD	W. H. McMaster, SD
David I. Walsh, MA	Arthur R. Gould, ME
Tom Connally, TX	Reed Smoot, UT
	Samuel M. Shortridge, CA

Farmer Laborite

Henrik Shipstead, MN

*Died November 24, 1929.

2nd Session, December 2, 1929–July 3, 1930

Special Session, July 7–21, 1930

Democrats	Republicans
Henry F. Ashurst, AZ	Henry W. Keyes, NH, Chmn.
Park Trammell, FL	Simeon D. Fess, OH
Claude A. Swanson, VA	W. H. McMaster, SD
Millard E. Tydings, MD	Arthur R. Gould, ME
David I. Walsh, MA	Reed Smoot, UT
Tom Connally, TX	Samuel M. Shortridge, CA
	Patrick J. Sullivan, WY*

Farmer Laborite

Henrik Shipstead, MN

*Assigned to the committee January 11, 1930; retired November 30, 1930.

3rd Session, December 1, 1930–March 3, 1931

Democrats	Republicans
Henry F. Ashurst, AZ	Henry W. Keyes, NH, Chmn.
Park Trammell, FL	Simeon D. Fess, OH
Claude A. Swanson, VA	W. H. McMaster, SD
Millard E. Tydings, MD	Arthur R. Gould, ME
David I. Walsh, MA	Reed Smoot, UT
Tom Connally, TX	Samuel Shortridge, CA
	Dwight W. Morrow, NJ

Farmer Laborite

Henrik Shipstead, MN

72nd Congress

1st Session, December 7, 1931–July 16, 1932
2nd Session, December 5, 1932–March 3, 1933

Democrats	Republicans
Henry F. Ashurst, AZ	Henry W. Keyes, NH, Chmn.
Park Trammell, FL	Simeon D. Fess, OH
Claude A. Swanson, VA	Reed Smoot, UT
Millard E. Tydings, MD	Samuel M. Shortridge, CA
David I. Walsh, MA	L. J. Dickinson, IA
Tom Connally, TX	Warren R. Austin, VT
	W. Warren Barbour, NJ

Farmer Laborite

Henrik Shipstead, MN

73rd Congress

1st Session, March 9, 1933–June 15, 1933
2nd Session, January 3, 1934–June 18, 1934

Democrats	Republicans
Tom Connally, TX, Chmn.	Henry W. Keyes, NH
Henry F. Ashurst, AZ	Simeon D. Fess, OH
Park Trammell, FL	L. J. Dickinson, IA
Millard E. Tydings, MD	Warren R. Austin, VT
David I. Walsh, MA	W. Warren Barbour, NJ
Huey P. Long, LA	
William Gibbs McAdoo, CA	

Farmer Laborite

Henrik Shipstead, MN

74th Congress

1st Session, January 3, 1935–August 26, 1935

Democrats	Republicans
Tom Connally, TX, Chairman	Henry W. Keyes, NH
Henry F. Ashurst, AZ	L. J. Dickinson, IA
Park Trammell, FL	Warren R. Austin, VT
Millard E. Tydings, MD	W. Warren Barbour, NJ
David I. Walsh, MA	Henrik Shipstead, MN (FL)
Huey P. Long, LA*	
Francis T. Maloney, CT	
Harry S. Truman, MO	
Dennis Chavez, NM+	

*died September 10, 1935.
+assigned to the committee May 13, 1935.

2nd Session, January 3, 1936–June 20, 1936

Democrats	Republicans
Tom Connally, TX, Chairman	Henry W. Keyes, NH
Henry F. Ashurst, AZ	L. J. Dickinson, IA
Park Trammell, FL*	Warren R. Austin, VT
Millard E. Tydings, MD	W. Warren Barbour, NJ
David I. Walsh, MA	Henrik Shipstead, MN (FL)
Francis T. Maloney, CT	
Harry S. Truman, MO	
Dennis Chavez, NM	
Scott M. Loftin, FL+	

*died May 8, 1936.
+assigned to the committee May 12, 1936; retired November 3, 1936.

75th Congress

1st Session, January 5, 1937–August 21, 1937

Democrats	Republicans
Tom Connally, TX, Chairman	Warren R. Austin, VT
Henry F. Ashurst, AZ	Frederick Hale, ME
Millard E. Tydings, MD	Henrik Shipstead, MN (FL)
David I. Walsh, MA	
Francis T. Maloney, CT	
Harry S. Truman, MO	
Dennis Chavez, NM	
Charles O. Andrews, FL	
Guy M. Gillette, IA	
Theodore F. Green, RI	
Clyde L. Herring, IA	

2nd Session, November 15, 1937–December 21, 1937
3rd Session, January 3, 1938–June 16, 1938

Democrats	Republicans
Tom Connally, TX, Chairman	Warren R. Austin, VT*
Henry F. Ashurst, AZ	Frederick Hale, ME
Millard E. Tydings, MD	Styles Bridges, NH+
David I. Walsh, MA	Henrik Shipstead, MN (FL)
Francis T. Maloney, CT	
Harry S. Truman, MO	
Dennis Chavez, NM	
Charles O. Andrews, FL	
Guy M. Gillette, IA	
Theodore F. Green, RI	
Clyde L. Herring, IA	

*excused from further service on the committee April 19, 1938.
+assigned to the committee April 19, 1938.

76th Congress

1st Session, January 3, 1939–August 5, 1939
2nd Session, September 21, 1939–November 3, 1939
3rd Session, January 3, 1940–January 3, 1941

Democrats	Republicans
Tom Connally, TX, Chairman	Frederick Hale, ME
Henry F. Ashurst, AZ	W. Warren Barbour, NJ
Millard E. Tydings, MD	Robert A. Taft, OH
David I. Walsh, MA	
Francis T. Maloney, CT	
Harry S. Truman, MO	
Dennis Chavez, NM	
Charles O. Andrews, FL	
Guy M. Gillette, IA	
Theodore F. Green, RI	
Clyde L. Herring, IA	

77th Congress

1st Session, January 3, 1941–January 2, 1942
2nd Session, January 5, 1942–December 16, 1942

Democrats	Republicans
Francis T. Maloney, CT, Chmn.	W. Warren Barbour, NJ
Millard E. Tydings, MD	Robert A. Taft, OH
David I. Walsh, MA	Ralph O. Brewster, ME
Tom Connally, TX	Hugh A. Butler, NE
Harry S. Truman, MO	
Charles O. Andrews, FL	
Guy M. Gillette, IA	
Theodore F. Green, RI	
Clyde L. Herring, IA	
James O. Eastland, MS*	
Wall Doxey, MS+	

*assigned to the committee July 31, 1941; resigned September 28, 1941.
+assigned to the committee October 23, 1941.

78th Congress

1st Session, January 6, 1943–December 21, 1943

Democrats	Republicans
Francis T. Maloney, CT, Chmn.	W. Warren Barbour, NJ*
Millard E. Tydings, MD	Robert A. Taft, OH
David I. Walsh, MA	Ralph O. Brewster, ME
Tom Connally, TX	Chapman Revercomb, WV
Harry S. Truman, MO	Kenneth S. Wherry, NE
Charles O. Andrews, FL	George A. Wilson, IA
Guy M. Gillette, IA	
Theodore F. Green, RI	

*died November 22, 1943.

2nd Session, January 10, 1944–December 19, 1944

Democrats	Republicans
Francis T. Maloney, CT, Chmn.	Robert A. Taft, OH
Millard E. Tydings, MD	R. Owen Brewster, ME
David I. Walsh, MA	Chapman Revercomb, WV
Tom Connally, TX	Kenneth S. Wherry, NE
Harry S. Truman, MO	George A. Wilson, IA
Charles O. Andrews, FL	Sinclair Weeks, MA*
Guy M. Gillette, IA	
Theodore F. Green, RI	

*assigned to the committee February 21, 1944.

79th Congress

1st Session, January 3, 1945–December 21, 1945
2nd Session, January 14, 1945–August 2, 1946

Democrats	Republicans
Francis T. Maloney, CT, Chmn.*	Robert A. Taft, OH
Charles O. Andrews, FL, Chmn.**	Chapman Revercomb, WV
Millard E. Tydings, MD	Kenneth S. Wherry, NE
David I. Walsh, MA	George A. Wilson, IA
Tom Connally, TX	H. Alexander Smith, NJ
Harry S. Truman, MO+	Wayne Morse, OR
Theodore F. Greene, RI	Thomas C. Hart, CT#
J. William Fullbright, AR	
Hugh B. Mitchell, WA	

*died January 16, 1945.
**died September 18, 1946
+ resigned January 18, 1945.
#assigned to the Committee February 28, 1945, resigned November 5, 1946.

PUBLIC WORKS COMMITTEE

80th Congress

1st Session, January 3, 1947–December 19, 1947

Democrats	Republicans
John H. Overton, LA	Chapman Revercomb, WV, Chairman
Dennis Chavez, NM	John Sherman Cooper, KY
Sheridan Downey, CA	Harry P. Cain, WA
W. Lee O'Daniel, TX	Edward Martin, PA
John L. McClellan, AR	Arthur V. Watkins, UT
Spessard L. Holland, FL*	John J. Williams, DE
	George W. Malone, NV

*assigned to the committee November 25, 1947.

2nd Session, Janaury 6, 1948–December 31, 1948

Democrats	Republicans
John H. Overton, LA*	Chapman Revercomb, WV, Chairman
Dennis Chavez, NM	John Sherman Cooper, KY
Sheridan Downey, CA	Harry P. Cain, WV
W. Lee O'Daniel, TX	Edward Martin, PA
John J. McClellan, AR	Arthur V. Watkins, UT
Spessard L. Holland, FL	John J. Williams, DE
John J. Sparkman, AL+	George W. Malone, NV

*died May 14, 1948.
+assigned to the committee May 26, 1948.

81st Congress

1st Session, January 3, 1949–October 19, 1949
2nd Session, January 3, 1950–January 2, 1951

Democrats	Republicans
Dennis Chavez, NM, Chairman	Harry P. Cain, WA
Sheridan Downey, CA	Edward Martin, PA
John L. McClellan, AR	Arthur V. Watkins, UT
Spessard L. Holland, FL	George W. Malone, NV
John J. Sparkman, AL	James P. Kem, MO
John C. Stennis, MS	
Virgil Chapman, KY	
Robert S. Kerr, OK	

82nd Congress

1st Session, January 3, 1951–October 20, 1951

Democrats	Republicans
Dennis Chavez, NM, Chairman	Harry P. Cain, WA
John L. McClellan, AR	Edward Martin, PA
Spessard L. Holland, FL	George W. Malone, NV
John C. Stennis, MS	Henry C. Dworshak, ID
Virgil M. Chapman, KY*	Frank Carlson, KS
Robert S. Kerr, OK	Francis Case, SD
Thomas C. Hennings, Jr., MO	
Earle C. Clements, KY+	

*died March 8, 1951.
+assigned to the committee April 3, 1951.

2nd Session, January 8, 1952–July 7, 1952

Democrats	Republicans
Dennis Chavez, NM, Chairman	Harry P. Cain, WA
John L. McClellan, AR	Edward Martin, PA
Spessard L. Holland, FL	George W. Malone, NV
John C. Stennis, MS	Henry C. Dworshak, ID
Robert S. Kerr, OK	Frank Carlson, KS
Thomas C. Hennings, Jr., MO	Francis Case, SD
Earle C. Clements, KY	

83rd Congress

1st Session, January 3, 1953–August 3, 1953

Democrats	Republicans
Dennis Chavez, NM	Edward Martin, PA, Chairman
Spessard L. Holland, FL	Francis Case, SD
John C. Stennis, MS	Prescott Bush, CT
Robert S. Kerr, OK	Thomas H. Kuchel, CA
Albert Gore, TN	J. Glenn Beall, MD
Thomas A. Burke, OH	Robert W. Upton, NH
	Wayne Morse, OR (IN)*

*assigned to the committee May 25, 1953.

2nd Session, January 6, 1954–December 2, 1954

Democrats	Republicans
Dennis Chavez, NM	Edward Martin, PA, Chairman
Spessard L. Holland, FL	Francis Case, SD
John C. Stennis, MS	Prescott Bush, CT
Robert S. Kerr, OK	Thomas H. Kuchel, CA
Albert Gore, TN	J. Glenn Beall, MD
Thomas A. Burke, OH	Robert W. Upton, NH*
	Wayne Morse, OR

*retired November 7, 1954; replaced by Norris Cotton, NH, on December 2, 1954.

84th Congress

1st Session, January 5, 1955–August 2, 1955

Democrats	Republicans
Dennis Chavez, NM, Chairman	Edward Martin, PA
Robert S. Kerr, OK	Francis Case, SD
Albert Gore, TN	Prescott Bush, CT
Stuart Symington, MO	Thomas H. Kuchel, CA
Strom Thurmond, SC	Norris Cotton, NH
Pat McNamara, MI	Roman L. Hruska, NE
Richard L. Neuberger, OR	

2nd Session, January 3, 1956–July 27, 1956

Democrats	Republicans
Dennis Chavez, NM, Chairman	Edward Martin, PA
Robert S. Kerr, OK	Francis Case, SD
Albert Gore, TN	Prescott Bush, CT
Pat McNamara, MI	Thomas H. Kuchel, CA
Richard L. Neuberger, OR	Norris Cotton, NH
Stuart Symington, MO*	Roman L. Hruska, NE
Strom Thurmond, SC+	
Thomas A. Wofford, SC#	
W. Kerr Scott, NC**	
Robert Humphreys, KY++	

*excused from further service on the committee March 19, 1956.
+resigned from the Senate April 4, 1956.
#assigned to the committee April 18, 1956.
**assigned to the committee April 12, 1956; excused June 18, 1956; reassigned to the committee July 27, 1956.
++assigned to the committee June 28, 1956; excused July 27, 1956.

85th Congress

1st Session, January 3, 1957–August 30, 1957

Democrats	Republicans
Dennis Chavez, NM, Chairman	Edward Martin, PA
Robert S. Kerr, OK	Francis Case, SD
Albert Gore, TN	Thomas H. Kuchel, CA
Pat McNamara, MI	Norris Cotton, NH
Richard L. Neuberger, OR	Roman L. Hruska, NE
W. Kerr Scott, NC	Chapman Revercomb, WV
John A. Carroll, CO	

2nd Session, January 7, 1958–August 24, 1958

Democrats	Republicans
Dennis Chavez, NM, Chairman	Edward Martin, PA
Robert S. Kerr, OK	Francis Case, SD
Albert Gore, TN	Thomas H. Kuchel, CA
Pat McNamara, MI	Norris Cotton, NH
Richard L. Neuberger, OR	Roman L. Hruska, NE
W. Kerr Scott, NC+	Chapman Revercomb, WV
Frank Church, ID*	
B. Everett Jordan, NC#	

*assigned to the committee March 11, 1958.
+died April 16, 1958.
#assigned to the committee May 5, 1958.

86th Congress

1st Session, January 7, 1959–September 15, 1959
2nd Session, January 6, 1960–September 1, 1960

Democrats	Republicans
Dennis Chavez, NM, Chairman	Francis Case, SD
Robert S. Kerr, OK	Thomas E. Martin, LA
Pat McNamara, MI	John Sherman Cooper, KY
Richard L. Neuberger, OR*	Hugh Scott, PA
Jennings Randolph, WV	Winston L. Prouty, VT
Eugene J. McCarthy, MN	Hirman L. Fong, HI#
Stephen M. Young, OH	
Edmund S. Muskie, ME	
Ernest Gruening, AK	
Frank E. Moss, UT	
Oren E. Long, HI#	
Hall J. Lusk, OR+	

*died March 9, 1960.
+assigned to the committee March 28, 1960.
#assigned to the committee September 12, 1959.

87th Congress

1st Session, January 3, 1961–September 27, 1961

Democrats	Republicans
Dennis Chavez, NM, Chairman	Francis Case, SD
Robert S. Kerr, OK	John Sherman Cooper, KY
Pat McNamara, MI	Hugh Scott, PA
Jennings Randolph, WV	Winston L. Prouty, VT
Stephen M. Young, OH	Hiram L. Fong, HI
Edmund S. Muskie, ME	J. Caleb Boggs, DE
Edward Gruening, AK	
Frank E. Moss, UT	
Oren E. Long, HI	
Benjamin A. Smith II, MA	
Lee Metcalf, MT	

2nd Session, January 10, 1962–October 13, 1962

Democrats	Republicans
Dennis Chavez, NM+ Chairman	Francis Case, SD*
Robert S. Kerr, OK#	John Sherman Cooper, KY
Pat McNamara, MI	Winston L. Prouty, VT**
Jennings Randolph, WV	Hirma L. Fong, HI
Stephen M. Young, OH	J. Caleb Boggs, DE
Edward Gruening, AK	Jack Miller, IA
Frank E. Moss, UT	Maurice Murphy, NH++
Oren E. Long, HI	James B. Pearson, KS##
Benjamin A. Smith II, MA	
Lee Metcalf, MT	

*died June 22, 1962.
+died November 18, 1962.
#died January 1, 1963.
**excused from further service on the committee July 18, 1962.
++assigned to the committee July 18, 1962.
##assigned to the committee July 18, 1962.

88th Congress

1st Session, January 9, 1963–December 30, 1963

Democrats	Republicans
Pat McNamara, MI, Chairman	John Sherman Cooper, KY
Jennings Randolph, WV	Hiram L. Fong, HI
Stephen M. Young, OH	J. Caleb Boggs, DE
Edmund S. Muskie, ME	Jack Miller, IA
Ernest Gruening, AK	James B. Pearson, KS
Frank E. Moss, UT	
Lee Metcalf, MT	
B. Everett Jordan, NC	
Daniel B. Brewster, MD	
Daniel K. Inouye, HI	
Birch Bayh, IN	
Gaylord Nelson, WI	

2nd Session, January 7, 1964–October 3, 1964

Democrats	Republicans
Pat McNamara, MI, Chairman	John Sherman Cooper, KY
Jennings Randolph, WV	Hiram L. Fong, HI
Stephen M. Young, OH	J. Caleb Boggs, DE
Edmund S. Muskie, ME	Jack Miller, IA
Ernest Gruening, AK	James B. Pearson, KS
Frank E. Moss, UT	
Lee Metcalf, MT	
B. Everett Jordan, NC	
Daniel Brewster, MD*	
Daniel K. Inouye, HI	
Birch Bayh, IN	
Gaylord Nelson, WI	
Pierre Salinger, CA+	

*excused from further service on the committee August 10, 1964.
+assigned to the committee August 10, 1964.

89th Congress

1st Session, January 4, 1965–October 23, 1965

Democrats	Republicans
Pat McNamara, MI, Chairman	John Sherman Cooper, KY
Jennings Randolph, WV	Hiram L. Fong, HI
Stephen M. Young, OH	J. Caleb Boggs, DE
Edmund S. Muskie, ME	James B. Pearson, KS
Ernest Gruening, AK	George Murphy, CA
Frank E. Moss, UT	
Lee Metcalf, MT	
B. Everett Jordan, NC	
Daniel K. Inouye, HI	
Birch Bayh, IN	
Joseph M. Montoya, NM	
Fred R. Harris, OK	

2nd Session, January 10, 1966–October 22, 1966

Democrats	Republicans
Pat McNamara, MI, Chairman*	John Sherman Cooper, KY
Jennings Randolph, WV, Chairman*	Hiram L. Fong, HI
Stephen M. Young, OH	J. Caleb Boggs, DE
Edmund S. Muskie, ME	James B. Pearson, KS
Ernest Gruening, AK	George Murphy, CA
Frank E. Moss, UT	Robert P. Griffin, MI**
Lee Metcalf, MT+	
B. Everett Jordan, NC	
Daniel K. Inouye, HI	
Birch Bayh, IN	
Joseph M. Montoya, NM	
Fred R. Harris, OK	
Joseph D. Tydings, MD#	

*died April 30, 1966; Sen. Randolph assumed chairmanship of committee.
+resigned from the committee January 14, 1966.
#assigned to the committee January 14, 1966.
**assigned to the committee May 17, 1966.

90th Congress

1st Session, January 10, 1967–December 15, 1967
2nd Session, January 15, 1968–October 14, 1968

Democrats	Republicans
Jennings Randolph, WV, Chairman	John Sherman Cooper, KY
Stephen M. Young, OH	Hiram L. Fong, HI
Edmund S. Muskie, ME	J. Caleb Boggs, DE
Ernest Gruening, AK	George Murphy, CA
B. Everett Jordan, NC	Len B. Jordan, ID
Daniel K. Inouye, HI	Howard H. Baker, Jr., TN
Birch Bayh, IN	
Joseph M. Montoya, NM	
Joseph D. Tydings, MD	
William B. Spong, Jr., VA	

91st Congress

1st Session, January 3, 1969–December 23, 1969
2nd Session, January 19, 1970–January 2, 1971

Democrats	Republicans
Jennings Randolph, WV, Chairman	John Sherman Cooper, KY
Stephen M. Young, OH	J. Caleb Boggs, DE
Edmund S. Muskie, ME	Howard H. Baker, Jr., TN
B. Everett Jordan, NC	Robert J. Dole, KS
Birch Bayh, IN	Edward J. Gurney, FL
Joseph M. Montoya, NM	Robert W. Packwood, OR
William B. Spong, Jr., VA	
Thomas F. Eagleton, MO	
Mike Gravel, AK	

92nd Congress

1st Session, January 21, 1971–December 17, 1971

Democrats	Republicans
Jennings Randolph, WV, Chmn.	John Sherman Cooper, KY
Edmund S. Muskie, ME	J. Caleb Boggs, DE
B. Everett Jordan, NC	Howard H. Baker, Jr., TN
Birch Bayh, IN	Robert J. Dole, KS
Joseph M. Montoya, NM	J. Glenn Beall, Jr., MD*
Thomas F. Eagleton, MO	James L. Buckley, NY
Mike Gravel, AK	Lowell P. Weicker, CT
John V. Tunney, CA	Robert T. Stafford, VT+
Lloyd M. Bentsen, Jr., TX	

*excused from further service on the committee September 21, 1971.
+assigned to the committee September 21, 1971.

2nd Session, January 18, 1972–October 18, 1972

Democrats	Republicans
Jennings Randolph, WV, Chmn.	John Sherman Cooper, KY
Edmund S. Muskie, ME	J. Caleb Boggs, DE
B. Everett Jordan, NC	Howard H. Baker, Jr., TN
Birch Bayh, IN*	Robert J. Dole, KS
Joseph M. Montoya, NM	James L. Buckley, NY
Thomas F. Eagleton, MO	Lowell P. Weicker, CT+
Mike Gravel, AK	Robert T. Stafford, VT
John V. Tunney, CA	Karl E. Mundt, SD#
Lloyd M. Bentsen, Jr., TX	
Elaine S. Edwards, LA**	

*excused from further service on the committee August 2, 1972.
+excused from further service on the committee February 23, 1972.
#assigned to the committee February 23, 1972; retired January 3, 1973.
**assigned to the committee August 2, 1972; resigned November 13, 1972.

93rd Congress

1st Session, January 3, 1973–December 22, 1973
2nd Session, January 21 1974–December 20, 1974

Democrats	Republicans
Jennings Randolph, WV, Chmn.	Howard H. Baker, Jr., TN
Edmund S. Muskie, ME	James L. Buckley, NY
Joseph M. Montoya, NM	Robert T. Stafford, VT
Mike Gravel, AK	William L. Scott, VA
Lloyd M. Bentsen, Jr., TX	James A. McClure, ID
Quentin N. Burdick, ND	Pete V. Domenici, NM
Dick Clark, IA	
Joseph R. Biden, Jr., DE	

94th Congress

1st Session, January 14, 1975–December 19, 1975

Democrats	Republicans
Jennings Randolph, WV, Chmn.	Howard H. Baker, Jr., TN
Edmund S. Muskie, ME	James L. Buckley, NY
Joseph M. Montoya, NM	Robert T. Stafford, VT
Mike Gravel, AK	James A. McClure, ID
Lloyd M. Bentsen, Jr., TX	Pete V. Domenici, NM
Quentin N. Burdick, ND	
John C. Culver, IA	
Robert Morgan, NC	
Gary W. Hart, CO	

2nd Session, January 19, 1976–October 1, 1976

Democrats	Republicans
Jennings Randolph, WV, Chmn.	James L. Buckley, NY
Edmund S. Muskie, ME	Howard H. Baker, Jr., TN
Joseph M. Montoya, NM	Robert T. Stafford, VT
Mike Gravel, AK	James A. McClure, ID
Lloyd M. Bentsen, Jr., TX	Pete V. Domenici, NM
Quentin N. Burdick, ND	
John C. Culver, IA	
Robert Morgan, NC	
Gary W. Hart, CO	

ENVIRONMENTAL AND PUBLIC WORKS COMMITTEE*

95th Congress

1st Session, January 4, 1977–December 15, 1977

Democrats	Republicans
Jennings Randolph, WV, Chmn.	Robert T. Stafford, VT
Edmund S. Muskie, ME	Howard H. Baker, Jr., TN
Mike Gravel, AK	James A. McClure, ID
Lloyd M. Bentsen, Jr., TX	Pete V. Domenici, NM
Quentin N. Burdick, ND	John H. Chafee, RI
John C. Culver, IA	Malcolm Wallop, WY
Gary Hart, CO	
Wendell R. Anderson, MN	
Daniel P. Moynihan, NY	

*change in name and jurisdiction effective February 14, 1977.

2nd Session, January 19, 1978–October 15, 1978

Democrats	Republicans
Jennings Randolph, WV, Chmn.	Robert T. Stafford, VT
Edmund S. Muskie, ME	Howard H. Baker, Jr., TN
Mike Gravel, AK	James A. McClure, ID
Lloyd M. Bentsen, Jr., TX	Pete V. Domenici, NM
Quentin N. Burdick, ND	John H. Chafee, RI
John C. Culver, IA	Malcolm Wallop, WY
Gary Hart, CO	
Daniel P. Moynihan	
Kaneaster Hodges, Jr., AR	

96th Congress

1st Session, January 15, 1979–December 20, 1979

Democrats	Republicans
Jennings Randolph, WV, Chamn.	Robert T. Stafford, VT
Edmund S. Muskie, ME	Howard H. Baker, Jr., TN
Mike Gravel, AK	Pete V. Domenici, NM
Lloyd M. Bentsen, TX	John H. Chafee, RI
Quentin N. Burdick, ND	Alan K. Simpson, WY
John C. Culver, IA	Larry Pressler, SD
Gary Hart, CO	
Daniel P. Moynihan, NY	

2nd Session, January 3, 1980–December 16, 1980

Democrats	Republicans
Jennings Randolph, WV, Chmn.	Robert T. Stafford, VT
Edmund S. Muskie, ME*	Howard H. Baker, Jr., TN
Mike Gravel, AK	Pete V. Domenici, NM
Lloyd M. Bentsen, TX	John H. Chafee, RI
Quentin N. Burdick, ND	Alan K. Simpson, WY
John C. Culver, IA	Larry Pressler, SD
Gary Hart, CO	
Daniel P. Moynihan, NY	
George J. Mitchell, ME+	

*resigned from the Senate May 7, 1980.
+assigned to the committee May 19, 1980.

97th Congress

1st Session, January 5, 1981–December 16, 1981
2nd Session, January 25, 1982–December 23, 1982

Democrats	Republicans
Jennings Randolph, WV	Robert T. Stafford, VT, Chmn.
Lloyd Bentsen, TX	Howard H. Baker, Jr., TN
Quentin N. Burdick, ND	Pete V. Domenici, NM
Gary Hart, CO	John H. Chafee, RI
Daniel P. Moynihan, NY	Alan K. Simpson, WY
George J. Mitchell, ME	James Abdnor, SD
Max Baucus, MT	Steve Symms, ID
	Slade Gorton, Wash.
	Frank H. Murkowski, AK

98th Congress

1st Session, January 3, 1983–November 18, 1983

Democrats	Republicans
Jennings Randolph, WV	Robert T. Stafford, VT, Chmn.
Lloyd M. Bentsen, TX	Howard H. Baker, Jr., TN
Quentin N. Burdick, ND	John H. Chafee, RI
Gary Hart, CO	Alan K. Simpson, WY
Daniel P. Moynihan, NY	James Abdnor, SD
George J. Mitchell, ME	Steven Symms, ID
Max Baucus, MT	Pete V. Domenici, NM
	David Durenberger, MN
	Gordon Humphrey, NH

2nd Session, January 23, 1984–October 12, 1984

Democrats	Republicans
Jennings Randolph, WV	Robert T. Stafford, VT, Chmn.
Lloyd M. Bentsen, TX	Howard H. Baker, Jr., TN
Quentin N. Burdick, ND	John H. Chafee, RI
Gary Hart, CO	Alan K. Simpson, WY
Daniel P. Moynihan, NY	James Abdnor, SD
George J. Mitchell, ME	Steven Symms, ID
Max Baucus, MT	Pete V. Domenici, NM
Frank R. Lautenberg, NJ	David Durenberger, MN
	Gordon Humphrey, NH
	Daniel J. Evans, WA

99th Congress

1st Session, January 3–December 20, 1985
2nd Session, January 21–October 18, 1985

Democrats	Republicans
Lloyd M. Bentsen, TX	Robert T. Stafford, VT, Chmn.
Quentin N. Burdick, ND	John H. Chafee, RI
Gary Hart, CO	Alan K. Simpson, WY
Daniel P. Moynihan, NY	James Abdnor, SD
George J. Mitchell, ME	Steven Symms, ID
Max Baucus, MT	Gordon J. Humphrey, NH
Frank Lautenberg, NJ	Pete V. Domenici, NM
	David Durenberger, MN

100th Congress

January 6, 1987–

Democrats	Republicans
Quentin N. Burdick, ND, Chmn.	Robert T. Stafford, VT
Daniel P. Moynihan, NY	John H. Chafee, RI
George J. Mitchell, ME	Alan K. Simpson, WY
Max Baucus, MT	Steven Symms, ID
Frank R. Lautenberg, NJ	David Durenberger, MN
John B. Breaux, LA	John W. Warner, VA
Barbara A. Mikulski, MD	Larry Pressler, SD
Harry Reid, NV	
Bob Graham, FL	

APPENDIX II

ALPHABETICAL LIST OF MEMBERS

(NOTE: Numbers following the names indicate the Congresses during which the Senators served on the committee.)

A

Abdnor, James (SD) 97th–99th
Anderson, Wendell R. (MN) 95th
Andrews, Charles O. (FL) 75th–79th
Anthony, Henry B. (RI) 37th–38th
Ashurst, Henry F. (AZ) 62nd–76th
Austin, Warren R. (VT) 72nd–75th

B

Badger, George E. (NC) 33rd
Bagby, Arthur P. (AK) 28th
Baker, Howard H., Jr. (TN) 90th–98th
Barbour, W. Warren (NJ) 72nd–74th, 76th–78th
Barrow, Alexander (LA) 27th
Baucus, Max (MT) 97th–Present
Bayard, James A. (DE) 33rd–35th
Bayard, Richard H. (DE) 25th
Bayh, Birch (IN) 88th–92nd
Beall, J. Glenn, (MD) 83rd, 92nd
Beckham, J.C.W. (KY) 65th–66th
Bentsen, Lloyd M., Jr. (TX) 92nd–99th
Biden, Joseph R., Jr. (DE) 93rd
Blanchard, Newton C. (LA) 53rd
Boggs, J. Caleb (DE) 87th–92nd
Bourne, Jonathan, Jr. (OR) 62nd
Brady, James H. (ID) 63rd–65th
Breaux, John B. (LA) 100th–Present
Breese, Sidney (IL) 28th
Brewster, Daniel B. (MD) 88th
Brewster, Ralph O. (ME) 77th–78th
Brice, Calvin S. (OH) 52nd–53rd
Bridges, H. Styles (NH) 75th
Bright, Jesse D. (IN) 29th, 35th–37th
Broussard, Robert F. (LA) 64th–65th
Brown, B. Gratz (MO) 39th
Buckley, James L. (NY) 92nd–94th
Bulkeley, Morgan G. (CN) 61st
Burdick, Quentin N. (ND) 93rd–Present
Burke, Thomas A. (OH) 83rd
Burkett, Elmer J. (NE) 60th
Burleigh, Edwin C. (ME) 63rd–64th
Burrill, James, Jr. (RI) 16th
Bush, Prescott (CN) 83rd–84th
Butler, Hugh A. (NE) 77th

C

Cain, Harry P. (WA) 80th–82nd
Camden, Johnson N. (WV) 49th
Cameron, Angus (WI) 47th–48th
Cameron, James D. (PA) 45th
Cameron, Simon (PA) 29th, 42nd–44th
Carey, Joseph M. (WY) 52nd–53rd
Carlson, Frank (KS) 81st–82nd
Carroll, John A. (CO) 85th
Case, Francis (SD) 81st–87th
Chafee, John H. (RI) 95th–Present
Chandler, Zachariah (MI) 37th–38th
Chapman, Virgil (KY) 81st–82nd
Chavez, Dennis (NM) 74th–76th, 80th–87th
Church, Frank (ID) 85th
Clark, Daniel (NH) 35th–36th
Clark, Dick (IA) 93rd
Clarke, John H. (RI) 31st–32nd
Clay, Alexander S. (GA) 58th–61st
Clements, Earle C. (KY) 82nd
Cole, Cornelius (CA) 41st–42nd
Connally, Tom (TX) 71st–79th
Cooper, Henry (TN) 43rd–44th
Cooper, John Sherman (KY) 80th, 86th–92nd
Cotton, Norris (NH) 84th–85th
Crane, W. Murray (MA) 58th
Culberson, Charles A. (TX) 56th–67th
Culver, John C. (IA) 94th–96th
Curtis, Charles (KS) 65th–66th
Cuthbert, Alfred (GA) 27th

D

Daniel, John W. (VA) 50th–55th
Davis, Garrett (KY) 40th
Davis, Jefferson (MS) 31st, 35th–36th
Dawes, Henry L. (MA) 45th–46th
Dayton, William L. (NJ) 27th–29th
Dial, Nathaniel B. (SC) 68th
Dickinson, L.J. (IA) 72nd–74th
Dixon, James (CN) 37th
Dole, Robert J. 91st–92nd
Domenici, Pete V. (NM) 93rd–99th
Doolittle, James R. (WI) 36th
Douglas, Stephen A. (IL) 35th
Downey, Sheridan (CA) 80th–81st
Doxey, Wall (MS) 77th
Dryden, John F. (NJ) 59th
duPont, Henry A. (DE) 61st–63rd
Durenberger, David (MN) 98th–Present
Dworskak, Henry C. (ID) 82nd

E

Eagleton, Thomas F. (MO) 91st–92nd
Eastland, James O. (MS) 77th
Edwards, Edward I. (NJ) 69th–70th
Edwards, Elaine S. (LA) 92nd
Eustis, James B. (LA) 45th
Evans, Daniel J. (WA) 98th
Evans, George (ME) 27th

F

Fairbanks, Charles W. (IN) 55th–58th
Fall, Albert B. (NM) 64th
Farwell, Nathan A. (ME) 38th
Fernald, Bert M. (ME) 38th
Ferry, Orris S. (CT) 40th–41st
Fess, Simeon D. (OH) 68th–73rd
Fessenden, William P. (ME) 40th
Fong, Hiram L. (HI) 86th–70th
Foot, Solomon (VT) 37th–39th
France, Joseph I. (MD) 65th–67th
Frelinghuysen, Joseph S. (NJ) 65th–67th
Fulbright, J. William (AR) 79th
Fulton, William S. 25th–27th

G

Gaillard, John (SC) 16th
Gamble, Robert J. (SD) 61st–62nd
Gary, Frank B. (SC) 60th
Gay, Edward J. (LA) 65th–66th
Gear, John H. (IA) 54th
Gibson, Randall L. (LA) 51st–52nd
Gilbert, Abijab (FL) 42nd–43rd
Gillette, Guy M. (IA) 75th–78th
Gooding, Frank R. (ID) 66th
Gordon, John B. (GA) 53rd–54th
Gore, Albert (TN) 83rd–85th
Gore, Thomas P. (OK) 61st
Gorton, Slade (WA) 97th
Gould, Arthur R. (ME) 69th–71st
Graham, Bob (FL) 100th–Present
Gravel, Mike (AK) 91st–96th
Green, Theodore F. (RI) 75th–79th
Griffin, Robert P. (MI) 89th
Grimes, James W. (IA) 38th–40th
Gruening, Ernest (AK) 86th–90th
Guion, Walter (LA) 65th
Gurney, Edward J. (FL) 91st

H

Hale, Fredrick (ME) 75th–76th
Hale, John P. (NH) 34th
Hamilton, William T. (MD) 41st–42nd
Hardwick, Thomas W. (GA) 63rd–65th
Harreld, John W. (OK) 67th–69th
Harris, Fred R. (OK) 89th
Hart, Gary W. (CO) 94th–99th
Hart, Thomas C. (CT) 79th
Henderson, John B. (MO) 37th–38th
Hendricks, Thomas A. (IN) 38th–39th
Hennings, Thomas C., Jr. (MO) 82nd
Herring, Clyde L. (IA) 75th–77th
Heyburn, Weldon B. (ID) 60th–62nd
Hodges, Kaneaster, Jr. (AK) 95th
Holland, Spessard L. (FL) 80th–83rd
Hruska, Roman L. (NE) 84th–85th
Humphrey, Gordon (NH) 98th–99th
Humphreys, Robert (KY) 84th
Hunter, Robert M.T. (VA) 30th–34th

I

Inouye, Daniel K. (HI) 88th–90th

J

Jackson, William P. (MD) 62nd–63rd
James, Charles T. (RI) 32nd–34th
Jarvis, Thomas J. (NC) 53rd
Johnson, Andrew (TN) 36th
Johnson, Reverdy (MD) 40th
Johnston, Joseph F. (AL) 63rd
Jones, Charles W. (FL) 45th–49th
Jordan, B. Everett (NC) 85th, 88th–92nd
Jordan, Len B. (ID) 90th

K

Kem, James P. (MO) 81st
Kennedy, Anthony (MD) 35th–37th
Kern, John W. (IN) 63rd
Kerr, John Leeds (MD) 27th
Kerr, Robert S. (OK) 81st–87th
Keyes, Henry W. (NH) 66th–74th
Kuchel, Thomas H. (CA) 83rd–85th

L

Lane, Harry (OR) 63rd–65th
Lanman, James (CT) 16th
Latimer, Asbury C. (SC) 58th–60th
Lautenberg, Frank R. (NJ) 98th–Present

Lenroot, Irvine L. (WI) 65th–69th
Leftin, Scott M. (FL) 74th
Long, Huey P. (LA) 73rd–74th
Long, Oren E. (HI) 86th–87th
Lusk, Hall J. (OR) 86th

M

Mahone, William (VA) 48th–49th
Malone, George W. (NV) 80th–82nd
Maloney, Francis T. (CT) 74th–79th
Mantle, Lee (MT) 54th–55th
Martin, Edward (PA) 80th–85th
Martin, Thomas E. (LA) 86th
Martine, James E. (NJ) 62nd–64th
Mayfield, Earle B. (TX) 68th–70th
McAdoo, Williams Gibbs (CA) 73rd
McCarthy, Eugene J. (MN) 86th
McClellen, John L. (AR) 80th–82nd
McClure, James A. (ID) 93rd–95th
McCumber, Porter J. (ND) 57th–60th
McDougall, James A. (CA) 39th
McKinley, William B. (IL) 67th–68th
McMaster, W.H. (SD) 69th–71st
McNamara, Pat (MI) 84th–89th
Mellen, Prentiss (MA) 16th
Merrick, William D. (MD) 26th
Matcalf, Lee (MT) 87th–89th
Mikulski, Barbara A. (MD) 100th–Present
Millard, Joseph H. (NE) 59th
Miller, Jack (IA) 87th–88th
Mitchell, George J. (ME) 96th–Present
Mitchell, Hugh B. (WA) 79th
Money, Hernando D.S. (MS) 55th–56th
Montoya, Joseph M. (NM) 89th–94th
Morgan, Robert (NC) 94th
Morrill, Justin S. (VT) 41st–55th
Morrow, Dwight W. (NJ) 71st
Morse, Wayne (OR) 79th, 83rd
Moss, Frank E. (UT) 86th–89th
Moynihan, Daniel P. (NY) 95th–Present
Mundt, Karl E. (SD) 92nd
Murkowski, Frank H. (AK) 97th
Murphy, Edward, Jr. (NY) 54th–55th
Murphy, George (CA) 89th–90th
Murphy, Maurice (NH) 87th
Muskie, Edmund S. (ME) 86th–96th

N

Nelson, Gaylord (WI) 88th
Neuberger, Richard L. (OR) 84th–86th

O

O'Daniel, W. Lee (TX) 80th
Overman, Lee S. (NC) 59th–61st
Overton, John H. (LA) 80th
Owen, Robert L. (OK) 62nd

P

Packwood, Robert W. (OR) 91st
Paddock, Algernon S. (NE) 44th
Pasco, Samuel (FL) 50th–53rd
Pearson, James B. (KS) 87th–89th
Poindexter, Miles (WA) 62nd–64th
Poland, Luke P. (VT) 39th
Pratt, Thomas P. (MD) 33rd–34th
Pressler, Larry (SD) 96th, 100th–Present
Prouty, Winston L. (VT) 86th–87th

Q

Quarles, Joseph V. (WI) 56th–58th
Quay, Mattew S. (PA) 50th–55th, 58th

R

Randolph, Jennings (WV) 86th–98th
Rawlins, Joseph L. (UT) 55th–57th
Reed, James A. (MO) 62nd–70th
Reid, Harry (NV) 100th–Present
Rivercomb, Chapman (WV) 78th–80th, 85th
Rives, William C. (VA) 25th
Roberts, Jonathan (PA) 16th
Rollins, Edward H. (NH) 47th

S

Salinger, Pierre (CA) 88th
Saulsbury, Eli (DE) 45th–46th
Saulsbury, Willard (DE) 38th
Saulsbury, Willard, Jr. (DE) 63rd–65th
Scott, Hugh (PA) 86th–87th
Scott, Nathan B. (WV) 56th–61st
Scott, William L. (VA) 93rd
Scott, W. Kerr (NC) 84th–85th
Shipstead, Henrik (MN) 68th–75th
Shortridge, Samuel M. (CA) 70th–72nd
Simmons, Furnifold M. (NC) 57th–59th
Simon, Joseph (OR) 55th–57th
Simpson, Alan K. (WY) 96th–Present
Smith, Benjamin A., II (MA) 87th
Smith, H. Alexander (NJ) 79th
Smith, Perry (CT) 26th

Smoot, Reed (UT) 70th–72nd
Sparkman, John J. (AL) 80th–81st
Spencer, Selden P. (MO) 66th
Spong, William B., Jr. (VA) 90th–91st
Spooner, John C. (WI) 49th–51st
Spruance, Presley (DE) 30th
Squire, Watson C. (WA) 51st–54th
Stafford, Robert T. (VT) 92nd–Present
Stanford, Leland (CA) 49th–53rd
Stennis, John C. (MS) 81st–83rd
Stephenson, Issac (WI) 61st–63rd
Stockton, John P. (NJ) 41st–43rd
Stone, William J. (MO) 58th–61st
Sullivan, Patrick J. (WO) 96th
Sumner, Charles (MA) 42nd
Sutherland, George (UT) 62nd–64th
Sutherland, Howard (WV) 65th–66th
Swanson, Claude A. (VA) 61st–72nd
Symington, Stuart (MO) 84th
Symms, Steve (ID) 97th–Present

T

Taft, Robert A. (OH) 76th–79th
Talbot, Isham (KY) 16th
Taylor, Robert L. (TN) 61st–62nd
Thomson, J.R. (NJ) 33rd–34th
Thurmond, Strom (SC) 84th
Trammel, Park (FL) 65th–74th
Truman, Harry S. (MO) 74th–79th
Trumbull, Lyman (IL) 38th–42nd
Tunney, John V. (CA) 92nd
Turner, George F. (WA) 55th–57th
Tydings, Joseph D. (MD) 89th–90th
Tydings, Millard E. (MD) 70th–79th

U

Upton, Robert W. (NH) 83rd

V

Vest, George G. (MO) 46th–57th

W

Wadsworth, James W., Jr. (NY) 64th
Wallop, Malcolm (WY) 95th
Walsh, David I. (MA) 71st–79th
Warner, John W. (VA) 100th–Present
Warner, William (MO) 60th–61st
Warren, Francis E. (WY) 54th–71st
Watkins, Arthur V. (VT) 80th–81st
Watson, Clarence W. (WV) 62nd
Weeks, Sinclair (MA) 78th
Weicker, Lowell P. (CT) 92nd
Wellington, George L. (MD) 55th–57th